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Vol. XI

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MARSHALL, MAYOR.

CENTRAL CRIMINAL COURT.

MINUTES OF EVIDENCE,

Taken in Short-hand

BY HENRY BUCKLER.

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VOLUME XIII. = Vol. XI

SESSION I. TO SESSION VI.

LONDON:
GEORGE HEBERT, CHEAPSIDE.
WILLIAM TYLER, PRINTER, BOLT-COURT, FLEET-STREET.

1840.

THE

WHOLE PROCEEDINGS

On the Queen's Commission of the Peace,

OYER AND TERMINER, AND GAOL DELIVERY,

FOR

The City of London,

AND GAOL DELIVERY FOR THE

COUNTY OF MIDDLESEX, AND THE PARTS OF THE COUNTIES OF ESSEX, KENT, AND SURREY, WITHIN THE JURISDICTION

OF THE

CENTRAL CRIMINAL COURT.

Held on Monday, November 25th, 1839, and following Days.

Before the Right Honourable Sir CHAPMAN MARSHALL, Knt., Lord Mayor of the City of London; Sir James Parke, Knt., one of the Barons of Her Majesty's Court of Exchequer; Sir John Bernard Bosanquet, Knt., one of the Justices of Her Majesty's Court of Common Pleas: Sir Claudius Stephen Hunter, Bart.; William Venables, Esq.; Matthias Prime Lucas, Esq.; Sir John Key, Bart.; William Taylor Copeland, Esq.; Aldermen of the said City: the Honourable Charles Ewan Law, Recorder of the said City; Thomas Johnson, Esq.; John Lainson, Esq.; James White, Esq.; John Humphrey, Esq.; and John Johnson, Esq.; Aldermen of the said City: John Mirehouse, Esq., Common Sergeant of the said City; and William St. Julien Arabin, Sergeant at Law; Her Majesty's Justices of Oyer and Terminer, and Gaol Delivery of Newgate, holden for the said City, and Judges of the Central Criminal Court.

LIST OF JURORS.

First Jury.	*Second Jury.*	*Third Jury.*
Byam Laws	Philip Phillips	Frederick Kendrick
Richard Green	John Hiskins	Evan Evans
Thomas Earl	Robert Williamson	Edward Frost
Edward Sheppard	James Honvill	Thomas Hopkins
Thomas Fielder	Henry Keys	George Harrison
Thomas George Heaven	John Ellis	Henry Squires Green
William Walter	Charles Kinnear	Stephen Howard
James Hubbard	John Fotheringham	William Jones
John Hayton Crosby	Burgess Little	Joseph Sykes
James Adams	Silas Harris	Trans William Fawcett
Robert Ableton	Henry Evans	Benjamin Elam
George Flower	Thomas Hill	Henry Farrer

Fourth Jury.	*Fifth Jury.*	*Sixth Jury.*
Robert Edwards	Andrew Hind	Henry Swan Linton
Francis Hammond	Thomas Taylor	John Gadd
John Fletcher	Louis Robert Greeves	Robert Farquhar
Thomas Elsworthy	Henry Hilton	J. Evans
Thomas Fenn	Henry Grellier	Daniel Reddy
Thomas George Grover	Charles Hipnell	Richard Kipling
Joseph Patmore	Alexander Falconer	Joseph W. Holland
Richard Marks	Abraham Edmiston	George Hebbing
Thomas Dingle	Thomas Higham	Thomas Brunsall Hughes
Richard Greenwood	Samuel Diamond Evans	James Edgecombe
John King	William Necks	J. Grant
James Elliot	James Ellison	Edmund Shaw

CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. First Session.

A star (*) denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk (†) that a prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, November 25th*, 1839.

First Jury, before Mr. Recorder.

1. WILLIAM GRIFFIFTH was indicted for stealing, on the 18th of November, 1 handkerchief, 1 yard of merino, and 1 card-case, the goods of Peter Patterson: also, for feloniously receiving 17 lbs. weight of silk, value 34*l.*, and 860 wooden bobbins, value 1*l.*, the goods, of Robert Graham, Junr.; well knowing them to have been stolen against the Statute, &c.; to both of which he pleaded

GUILTY. Aged 29.—Transported for Seven Years.

2. EDWARD SIEVERS was indicted for a misdemeanor.

Mr. Ballantine *conducted the Prosecution.*

James Duffey. I keep a chandler's shop in Ship-yard, Temple-bar. On Saturday, the 10th of August, the defendant was in my debt 3*l.* 11*s.* 4*d.*—he came to my shop about five o'clock that day, and produced this paper—(*read*)—"10th of August, 1839—Messrs. Barclay and Co., pay to self 9*l.* 3*s.*, as advised by Messrs. Gurney and Co."—he said, "I am indebted to you something; if you let me have 3*l.* on this I will call or send you an order at the beginning of the week to make up the deficiency"—I let him have the 3*l.*, supposing this to be a genuine paper, and that there was money in the bankers' hands to meet it—he told me if I went for it on Monday, or paid it to any of my tradespeople, or at the bank, it was as good as the Bank of England—I presented it, but it was not paid—I saw Mr. Chaston at the bank.

Prisoner. Q. How many years have you known me? *A.* Eight or nine—I cannot say to what amount we have done business—I do not know whether it was not 1000*l.*—it was always honourably conducted until this—you never owed me any thing before—if this cheque had been paid I should have had to return you some money—the first time you were taken before the Magistrate you were dismissed—I offered to shake hands with you—I said it was no use to quarrel, and you said, "I will enter an action, and ruin you"—the Magistrate's advice was to go to Messrs. Gurney, to see if your statement was correct, and then I went to the banker's, and there was no effects—I did not say if this money was paid I would forego the prosecution—the money was never tendered me—some one came, and said something about it, but that was after it was out of my hands—after you were committed they offered me the money, and I referred them

Mr. Harmer—it was not tendered previous to your being committed, because I took a solicitor to the Court for fear I should commit myself.

Prisoner. The prosecutor was willing to receive his money, but the solicitor said there was 10*l.* for his expenses, to which I did demur.

MR. BALLANTINE. *Q.* What did the Magistrate state? *A.* He said, "If your statement is not correct you are subject to be brought up on a future day"—I took no other steps till I had written to Messrs. Gurney, and received an answer.

GEORGE CHASTON. I am a clerk in the banking-house of Robert Barclay, Bevan, and Co. I have seen this cheque—we had no orders transmitted to us to meet it—I know that by reference to the books—we have an account with Messrs. Gurney's—if an order of this kind had been received from them I must have known it—the cheque was produced to me—I referred to the advice-book, and there were no orders—I have written "N O" at the corner—Messrs. Gurneys reside at Norwich—they have no London house—we are their agents—the prisoner kept no account with us.

Prisoner. *Q.* How many banks have Gurney and Co.? *A.* About twenty-one, I believe—we have had cheques presented when there was no advice, but we do not pay them—we have paid cheques, expecting that the advice would arrive—if this had been presented as it is now I should have had a demur about paying it without the sanction of the firm, as it has not "or bearer" on it—sometimes they put the words "or bearer" on it themselves.

MR. BALLANTINE. *Q.* Do you mean that they have not sent advice of this from any of their banks? *A.* Yes—I have taken particular pains, and referred this morning—we are daily in communication with Messrs. Gurney's, and no advice has been sent.

COLIN FORBES (*police-constable F* 115.) I took the prisoner into custody—Duffey was with me—the prisoner said, "Duffey, I know I owe you the money, but I will see you d—d before I will pay you"—this was at the station-house in Bow-street—he appeared very angry.

Prisoner. *Q.* Did you know the prosecutor previous to this? *A.* Yes—I have seen him about fifteen months—I did not recommend this prosecution—I did not know where you resided, or your place of business the first time I took you; I did the second—I think I went there to apprehend you the second time—you were not at home, I came away, and met you in Regent-street.

Prisoner's Defence. I traversed this case from last Session, thinking I should have had a witness from Vienna, but as I do not think I should have been able to produce him, I did not traverse again—I have had considerable experience in banking-houses in London for fourteen years, and I have seen similar cheques to this, which have been paid—the sum of 9*l.* 3*s.* was to have been paid into one of Messrs. Gurney's banks on my account, and if I could have brought the witness I intended, he would have stated that he told me he was going to Yorkshire, and he would pay the money into one of Gurney's banks—but I have not seen him or heard from him since September—the money is still due to me—I had been at the Docks that day tasting some wine, and I called on the prosecutor, who has known me some time by my trusting him, and I said, "Mr. Duffey, give me 3*l.* on this, and I will call on Monday or Tuesday, and receive the balance"—I was coming home on the Monday or Tuesday, and met the prosecutor, who said, "That cheque is not paid"—I said, "It will be in a day or two; I have trusted the man before, and he has never deceived me"—three or four days after-

wards I was surprised by being taken up—I was irritated, and said, "How could you think of treating me in the way you have done?"—he said he did not care, he would go on—I went before Mr. Twyford and explained the case—he dismissed the case, and in a few days I was taken again.

COURT *to* GEORGE CHASTON. *Q.* In case of money being sent from the country to London, is it customary to allow the individual to draw a cheque, or do the banking-houses give him a cheque? *A.* We fill up our own cheques when we receive advice, ready for the person to receive the money; but when persons live at a distance they frequently send written cheques, and we pay them.

JAMES DUFFEY. The cheque was ready written when he brought it to me.

(The prisoner received an excellent character.)

GUILTY. Aged 35.—Confined Two Months.

OLD COURT—*Tuesday, November 26th*, 1839.

Second Jury, before Mr. Recorder.

3. GEORGE BALLARD was indicted for stealing, on the 5th of November, 1 cloak, value 10*s.*, the goods of George Whitehead; to which he pleaded

GUILTY.† Aged 18.—Confined Six Months.

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4. GEORGE BAILEY was indicted for stealing, on the 12th of October, 1 watch, value 1*l.*, the goods of George Bower, his master; to which he pleaded

GUILTY. Aged 13.—*Recommended to mercy by the Prosecutor.*—Transported for Seven Years—Isle of Wight.

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5. SAMUEL JACOBS was indicted for stealing, on the 9th of November, 1 watch-chain, value 10*l.*; 1 watch-key, value 5*s.*; and 2 seals, value 2*l.*; the goods of Robert Sutton, from his person.

ROBERT SUTTON. I am a stock-broker—my counting-house is in Bank-buildings, City. On Saturday afternoon, the 9th of November, (Lord Mayor's-day,) between four and five o'clock, I was going along Cheapside towards St. Paul's—there came a mob down from the west towards the Mansion-house, and two men arm-in-arm stood before me, evidently to prevent my getting on—they quitted me suddenly—I fancied that my watch and chain were gone, but I felt, and found the chain had broken at the ring connecting it with the watch, and the watch was left in the fob—I said I was robbed, and the persons standing by me said, "Yes, and this is the man that robbed you, sir," taking the prisoner—I lost my gold watch-chain, seals, and key.

Cross-examined by MR. PAYNE. *Q.* Was any part of the procession going by at this time? *A.* I think not—it was getting rather dusk at that time.

ALFRED CHAMBERLAIN. I am a gardener, and live in Haman's-row, Holloway. On the 9th of November I was in Cheapside, standing near the prosecutor—I saw a man holding him, and while he was doing so I saw the prisoner tugging at Mr. Sutton's watch twice—I heard Mr. Sutton say he was robbed—I said, "That is the fellow," and seized the prisoner—I am sure he is the person who was tugging at the chain.

Cross-examined. Q. Did you observe what became of the seals and chain? A. No, I could not see what became of them—I was quite close to the prisoner and prosecutor, but there was a great crowd and confusion, and I could not see—no seals or chain have been found—there were no persons between me and Mr. Sutton—I was quite close to him—one man was before him, and the other behind.

AUGUSTUS THOMPSON. I am shopman to Mr. Bond, a hatter in Cheapside. I was standing at the shop-door, and saw the prisoner pressing very much against Mr. Sutton, who called out that he was robbed—I immediately ran out at the side-door, in Queen-street, and at the top of Queen-street the prisoner was being brought to the station-house—I laid hold of him, and assisted in bringing him down, as the mob were trying to rescue him, by pushing against the policeman, and trying to push him away.

WILLIAM CORNWELL (*City police-constable, No.* 57.) I saw the prisoner, between four and five o'clock, very busily engaged in trying different people's pockets—I watched him some time till he came nearly to the side of a stout gentleman, which I believe to be Mr. Sutton—the prisoner had one hand in his pocket behind, and another hand round him—somebody *sung* out, "I am robbed"—I *sung* out, "I have got him"—I immediately received two blows on my side, was knocked down, and received a kick when I was down, and lost my staff—I got hold of my staff again, and secured him—he had something in his hand, but what it was I cannot say—there was the matter of twenty or twenty-five thieves all round Mr. Sutton at the time, who could receive any thing from him—I know them to be thieves—I have an abcess in my neck, in consequence of their treatment.

Cross-examined. Q. Do you mean to say the prisoner is a reputed thief? A. I do not know him—I never saw him before—but the parties I saw about him I knew to be reputed thieves.

(Levy Myers, of King-street, Duke's-place, Aldgate; Ezekiel Cohen, and William Beard, of Gloucester-place, Commercial-road, gave the prisoner a good character.)

GUILTY. Aged 18.—Transported for Ten Years.

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6. HENRY MARKS was indicted for an assault, with intent, &c.

NOT GUILTY.

Before Mr. Sergeant Arabin.

7. FREDERICK RALPH was indicted for feloniously receiving, of a certain evil-disposed person, 1 watch, value 16*l.*, the goods of George Richards; well knowing the same to have been stolen; against the Statute, &c.

GEORGE RICHARDS. I am a licensed victualler, and live in Poppin's-court, Fleet-street. I had a gold watch hanging at the head of my bed—I saw it last on the 28th of October—I lost it about eleven o'clock that night—this is it—(*looking at it*)—I know nothing of the prisoner.

GEORGE KEDGE. I am shopman to Mr. Ashwell, a pawnbroker in Long-acre. This watch was pawned with me by the prisoner on the 31st of October.

EDWARD WASHINGTON. I am a City policeman. I apprehended the prisoner on the 5th of November, at his own house in Monmouth-street, Seven-dials—he is a clothes-salesman—I found eleven duplicates on him

—one was for the watch—I asked if he had pawned a gold watch at Mr. Ashwell's—he said he had, and that he had received it from a person at a hazard, or gambling-house, at the west end of the town, but he did not know his name, nor who he was—he afterwards said a person named Collins had given it to him, who lived at No. 60, Monmouth-street—I went there to the third floor back-room, and found a person who called herself Collins's wife—the room was very badly furnished—there was scarcely any thing in the room. NOT GUILTY.

8. DAVID SPENCER was indicted for stealing, on the 19th of October, 1 sheep, price 25*s*., the property of Joseph Hodsdon.

MR. BALLANTINE *conducted the Prosecution.*

JOSEPH HODSDON. I am a farmer, and live at Greenhill, Harrow. On the 20th of October, on going round my farm, I missed a Welsh sheep, which I had seen the day before—I had one hundred altogether, and they were right the day before—I went round the field, and in a ditch found the skin and entrails tied up together—the skin was marked "R I"—the initials of the man that brought them from Wales—I found foot-marks by the skin, and traced them about a mile and a quarter or a mile and a half—I went afterwards with the patrol to the prisoner's house—I traced the footsteps to there—the prisoner was at the door—the patrol told him I had lost a sheep, and he had come in search of it—the prisoner said he had not got any thing but what belonged to him, and he might search—I remained outside while they went in—I afterwards went into the cottage, and saw in a dish on the table the head and legs, a small piece of pluck, and about half the loin—they were all boiled—I asked him how he came by the meat—he said that was his business—he said he had bought it of a man who was driving a drove through that place—I asked if he knew the man—he said, "No"—he afterwards said he did know him—that he would not tell me who he was then, but he would another day.

Cross-examined by MR. PAYNE. *Q.* You did not find any shoes that fitted the marks? *A.* No—I do not swear to the mutton—it looked exactly like Welsh mutton—I gave the prisoner in charge—he was set at liberty and taken again.

MR. BALLANTINE. *Q.* I believe he endeavoured to destroy himself? *A.* Yes—he cut his throat in the cage, and when he got better he was given in charge—he lives nearly three miles from me—he never worked for me.

THOMAS BUTLER (*police-constable S* 41). On the 20th of October I went with Mr. Hodsdon to Spencer's house—I saw him at the door, and told him the prosecutor had lost a sheep and suspected it was brought to his cottage, as there were marks of footsteps from where it was killed to his door—he said I was welcome to come in—I did so, and found no undressed meat—there was a pot on the fire—I asked what it was—he said a sheep's head—I said there was more than that—he said, yes, there was part of a leg—I found a head, a leg, part of the loin, and the pluck—I laid it on a dish on the table—the prosecutor said he thought it was his as it was fresh killed and small—the prisoner was put into the cage—I searched him, and his son Henry said, "Father, the last time he took you he took your knife away, he shall not take it away this time, because you have got never a one"—I went to the cage next] morning and found him lying on his back with his hands stretched out and his throat cut—I went for a doctor,

who sewed up his throat—I remained with him four hours, and then the doctor got an order for him to go into the Hendon Union.

Cross-examined. Q. Did you take the prisoner on the former occasion to which you have alluded? *A.* Yes, for sheep-stealing—the Grand Jury threw out that bill—he left the Union on the 9th and was at liberty till the 20th.

SIMON CROKER. I am a patrol. On the 20th October I went to the prisoner's house—he was in custody at the time—I heard Butler ask where he got the mutton from—he said that was his business—he afterwards asked him again, and he said he bought it of a man with a drove—he would not tell the man's name—I went to Hodsdon's and traced footsteps across three fields—I found the prosecutor's shepherd there, and we did not trace further than that, but found the same traces coming back again, and a dog's foot with it—I know the prisoner has a dog—I traced the step to the prisoner's back door—I found no boots that corresponded with the steps—I told the prisoner the step was traced to his door—he immediately came out and put his foot on it and stamped it out—the boots he had on did not tally with the mark, and they were quite clean and dry, and had not been out.

NOT GUILTY.

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9. JOSEPH HATHERLY was indicted for stealing, on the 24th of September, 7 memorandum books, value 10*s.* 6*d.*; 48 wafer stamps, value 15*s.*; 38 dozen pencils, value 1*l.* 15*s.*; 7 gross of pen-holders, value 2*l.* 2*s.*; 33lbs. weight of India rubber, value 5*l.* 15*s.*; and 19 dozen carpenters' pencils, value 1*l.* 18*s.*, the goods of Sir James Williams, Knight, and others, his masters.

MR. CLARKSON *conducted the Prosecution.*

DANIEL FORRESTER. I am one of the officers of the City of London. On Friday, the 8th of November, in consequence of directions I received, I went to the prisoner's lodging, 56½, Pear Tree-court, Clerkenwell—he wrote me that address himself—I there found a great quantity of India rubber, black-lead, and carpenters' pencils, wafer stamps, pen-holders, and memorandum books, all new—some were in a box, some under the bed, and some in a bag (*producing them*)—the prisoner was not at home at the time—I found his wife there, and she permitted me to search.

AARON WILLIAM PUDNEY. I am foreman to Sir James Williams and others, wholesale stationers in West Smithfield—the prisoner was in their service, first to assist in the warehouse and afterwards as porter—he had access to all the articles dealt in by the firm—he had 21*s.* a week—he did not carry on any trade himself—(*looking at the property*)—this parcel of memorandum books I tied up on the 21st of September, when taking stock, and it has my own writing on it—these packets of wafer-stamps bear our private mark, and they are tied up as we tie them—there are twelve in each packet—they have not been sold—if they had, the private mark would have been taken off—this piece of India rubber was bought with a quantity on the 21st of October—I think this is the piece we had with the parcel, for I have looked over the parcel and cannot find it—I do not swear to it, but I think this is the piece—this parcel of pen-holders bears the mark of George Hall, one of our men—it has no private mark—I believe all this to be my masters' property—they deal in such things—it has not been missed—our stock is too large to ascertain such a loss.

Cross-examined by MR. PRENDERGAST. Q. You believe they were once in your warehouse? *A.* There is no question about that—we are in a very exten-

sive way of business, and supply shops entirely wholesale—these goods could not have been sold without the private mark being taken off—it is the invariable rule of our house to take the private mark off whenever a parcel leaves the house, and I can conscientiously swear that a parcel scarcely ever went out without that being done—I have been there twenty-two years, and never knew it not done—if a man is known not to do it, he loses his employment—we should tear the private mark off, or do the parcels up fresh—the private mark is put on by me—it is taken off because there are many people in different parts of the country who would know the mark—there are one or two look out orders besides me, and one man packs—if a person comes in to buy a small packet, and takes it away with him, we should take the mark off first—several persons sell besides me, but I can undertake to say these have not been sold, or the private mark must have been taken off—I believe no one knew where to find these packets but myself, as I did them up, and put them away—I am very seldom out, except to go to my dinner—we all leave at one time, except one, who stops to take charge of the premises—I always had a good opinion of the prisoner till this time.

MR. CLARKSON. *Q.* Would the private mark intimate the cost-price? *A.* It would, and we wish to keep it to ourselves, as young men who have been with us, and have settled in the country, would know it—I never knew the prisoner purchase any of these things at the warehouse—he has no shop of his own—he is engaged at the warehouse all day—we do not allow persons in our employ to deal in the same articles.

GEORGE HALL. I am warehouseman to the prosecutors. I put the letter "W" on this packet of pen-holders, about six months ago—it is our peremptory orders not to part with goods with the private mark on them.

Cross-examined. *Q.* There are other peremptory orders, I suppose, that the men should come in time, and be industrious, and so on, which are sometimes not obeyed? *A.* Sometimes, and then punishment attends it, perhaps discharge.

CHARLES BIRCH. I am clerk to the prosecutors, and have the superintendence of the goods. I believe this property to be my master's, and do not believe it to have been sold—here is an odd lot, which I took a note of at the stock-taking, and that we should not sell—this other packet has Pudney's mark on it—it would not be sold with his mark on it—the value of all the property found is about 15*l.*

Cross-examined. *Q.* You do not mean to say that any property has been missed? *A.* We did not miss it till this was found.

(—— Rayner, cabinet-maker, Golden Lion-court, Aldersgate-street; and Mrs. Sutton, 56, Pear Tree-court; gave the prisoner a good character.)

GUILTY. Aged 24.—Transported for Seven Years.

NEW COURT.—*Tuesday, Nov. 26th*, 1839.

Fifth Jury, before Mr. Common Sergeant.

10. EDWARD PACKSTON HOOD was indicted for stealing, on the 29th of October, 1 atlas, value 2*l.*; also, on the 19th of April, 187 printed books, value 1 5*l.*; the goods of Henry Ince and another, his masters: also, on the 19th of February, 1 printed book, value 1*l.*, the goods of James Sherman; to all of which he pleaded

GUILTY. Aged 20.—Confined One Year.

11. WILLIAM BROWN was indicted for stealing, on the 6th of November, 1 box, value 6*d.*; and 1lb. weight of cigars, value 12*s.*; the goods of Abraham Levoi and another; and that he had been previously convicted of felony: to which he pleaded

GUILTY. Aged 20.—Transported for Seven Years.

12. ELIZABETH PITCHER was indicted for stealing, on the 23rd of November, 2 shillings, the monies of John Mackie: to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

13. THOMAS KIMBLEY was indicted for stealing, on the 30th of October, 1 handkerchief, value 3*s.*, the goods of James Winckworth Winstanley, from his person; to which he pleaded

GUILTY. Aged 18.—Transported for Ten Years.

14. JOHN BRITCHFORD was indicted for stealing, on the 28th of October, 1 bolster, value 5*s.*, the goods of Henry Ernest; to which he pleaded

GUILTY. Aged 36.—Confined Three Months.

15. GEORGE COYLE was indicted for stealing, on the 27th of October, 1 half-crown, 1 shilling, and 1 sixpence, the monies of William Alfred Newman Cattlin; to which he pleaded

GUILTY. Aged 9.—Confined Three Months, and Whipped.

16. HENRY BANKS was indicted for stealing, on the 24th of October, 2 saws, value 4*s.*; 1 plane, value 3*s.*; 1 hammer, value 1*s.*; 2 files, value 6*d.*; and 1 screw-driver, value 18*d.*; the goods of Thomas Shelley: and 3 planes, value 4*s.*, the goods of George Jenkins; to which he pleaded

GUILTY. Aged 16. Confined Three Months.

17. JAMES ROBINSON was indicted for stealing, on the 19th of November, 1 waistcoat, value 5*s.*, the goods of Solomon Cohen; to which he pleaded

GUILTY. Aged 19.—Confined Four Months—One Week in each Month Solitary.

18. GEORGE DAVIS was indicted for stealing, on the 14th of November, 15 ounces of butter, value 1*s.*, the goods of Ann Poulett Thompson, his mistress; to which he pleaded

GUILTY. Aged 17.—Confined One Month.

19. JAMES ATKINS was indicted for stealing, on the 20th of October, 3 sovereigns, the monies of Thomas Turnbull; to which he pleaded

GUILTY. Aged 17.—Confined Three Months.

20. HENRY LOCK was indicted for stealing, on the 16th of November, 46lbs. weight of lead, value 7*s.*, the goods of William Good, his master; to which he pleaded

GUILTY. Aged 22.—Confined Six Months.

21. JOHN THOMPSON was indicted for stealing, on the 13th of November, 1 pair of reins, value 5*s.*, the goods of Charles Price.

RALPH CHARLES PRICE. I am a relation of Mr. Charles Price, who lives in William-street, Blackfriars. At half-past three o'clock in the afternoon of the 13th of November I was standing in the warehouse, and saw a man,

whom I did not know, coming up the yard—I asked where he had been—he said, "To the stable with food for the horses"—I asked where his cart was—he said, "In the next yard"—I saw his pocket was bulky, and asked what he had got—he ran off—I chased him up and down the street—my warehouseman came out—as he was running he dropped these reins from his pocket—I picked them up, and the warehouseman caught him, took him into the yard, and sent for an officer.

THOMAS ANGLISS. I am groom to Mr. Price. These are his reins—I had seen them safe not a quarter of an hour before they were taken—they were in the stable.

WILLIAM SAMUEL RUMSEY. I am warehouseman to the prosecutor. I saw the prisoner drop these reins—I took him.

ISAAC NOBLE (*City police-constable No.* 215.) I took the prisoner—he was not drunk.

Prisoner's Defence. I was drunk when I took them—I do not know whether I took them or not.

GUILTY.* Aged 23.—Transported for Seven Years.

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22. RICHARD TYRRELL was indicted for stealing, on the 30th of September, 1 watch, value 10*s.*; 1 watch-chain, value 6*d.*; 1 watch-key, value 2*d.*; 1 seal, value 2*d.*; 1 pair of shoes, value 12*s.*; and 1 pair of trowsers, value 8*s.*; the goods of James Johnson.

JAMES JOHNSON. I am a brickmaker, and live at Botfield, in the parish of Hayes. I left my work on the 30th of September at two o'clock—I locked up my house, and left nobody in it—I left the articles stated in it—I came back about eleven o'clock at night, and found my box broken open, and the watch gone—the door of the house was locked—I made inquiries, and heard something about a man called *Black Dick*—this is the watch, and these are the shoes, (*looking at them,*) but the trowsers I cannot find.

EDWARD CHAPMAN. I am a pot-boy. On the 30th of September, about half-past three o'clock, I was at work at a beer-shop, the prisoner said he was going home, and going to bed—he was gone half an hour—he came back, called me out of the house, and pulled out a watch, and told me to keep it *dark*, as he was going on the road—meaning, I suppose, he was going right away—I did not have the watch—I went, and told another man of it—the watch was something like this.

WILLIAM HOPPING. Chapman gave me some information about the prisoner, and I followed him, and asked him what he had got—he said, "Nothing," but after that he pulled the watch out of his pocket—I said I wanted the rest—he said he had nothing else—I gave the watch to Johnson.

GEORGE GODFREY. I am a parish constable. I took the prisoner—he had this pair of boots on, which the prosecutor identifies.

GUILTY. Aged 18.—Confined Nine Months.

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23. WILLIAM ASHTON and THOMAS SMITH were indicted for stealing, on the 13th of November, 1 handkerchief, value 2*s.*, the goods of William Greenfield, from his person.

WILLIAM GREENFIELD. I live in Cursitor-street, Chancery-lane. I was in Chancery-lane at eight o'clock on the 13th of November—I felt something at my pocket, which induced me to turn round—I saw Smith passing a handkerchief to Ashton, who immediately crossed the road—I laid hold of Smith—Ashton again crossed, and I laid hold of him—in t

scuffle Smith got away, and the handkerchief was thrown into the gutter —this is the same handkerchief—it is mine.

Cross-examined by MR. PAYNE. *Q.* Did you pick it up? *A.* No—a gentleman who is not here did—I am a law-stationer—Ashton came up, and collared Smith.

JAMES TURNER. I live in Horse-shoe-court. I was passing just at the time—I saw the prosecutor lay hold of Smith, and then I saw Ashton cross the road to the prosecutor, and Smith escaped—Ashton dropped the handkerchief down in the road—I am sure of that.

Cross-examined. *Q.* What are you? *A.* A porter—I was about three yards off—it was when the prosecutor seized Ashton that Smith got away —I saw the handkerchief picked up by a gentleman, who is not here—I pursued Smith, and told the policeman of it.

GEORGE WARDLE (*City police-constable, No.* 484.) I received the handkerchief from the prosecutor.

Smith. I throw myself on the mercy of the Court.

(Sarah Castellon, wife of a porter, in the Old Bailey, and Michael Carney, father-in-law of Ashton, gave him a good character.)

ASHTON†—GUILTY. Aged 21.
SMITH†—GUILTY. Aged 19. } Transported for Ten Years.

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24. GEORGE WILLIAM SMITH was indicted for stealing, on the 23rd of October, 1 coat, value 2*l.*; 1 pair of trowsers, value 8*s.*; 1 shirt, value 2*s.*; 1 pair of gloves, value 1*s.*; 1 pair of stockings, value 6*d.*; and 1 apron, value 6*d.*; the goods of William Tomlin.

LOUISA TOMLIN. I am the wife of William Tomlin, who lives in Woodland-street, Dalston. The prisoner came to me on the 23rd of October, and told me my husband had fallen overboard with a basket of bottles, and that he was waiting for a change of clothes, which he had come for—I gave him a great-coat, a pair of trowsers, a pair of stockings, a shirt, and an apron—he said my husband had laughed at him for falling over, and now he had got the laugh at him—I gave him the things, believing this story.

Prisoner. *Q.* What time was I there? *A.* About a quarter to five o'clock—I have not the least doubt that you are the man—you tied up the clothes.

WILLIAM TOMLIN. I am in the service of a bottle-merchant. The prisoner came to me on the 23rd of October, about a quarter to four o'clock, and wanted William Smith, an engineer—I was at the stable—it is about two miles from where my wife lives—I said I did not know William Smith, an engineer; I knew several Smiths, but they were gardeners—he said he wanted to put this Smith in work, and he used the sign of the Feathers, Dock-head—I did not know the prisoner before—I told him where I lived—he said Smith lived two doors from me, and said, "Don't you live at Homerton?"—I said I did, but I had removed from there—I had not fallen overboard that day—I saw him again on the 29th, coming from Lime-street to Fenchurch-street—when he saw me he ran away—I ran after him, and took him on St. Dunstan's-hill—we have not found any of the clothes.

Prisoner's Defence. I never took the clothes.

GUILTY. Aged 23.—Confined Nine Months.

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25. WILLIAM TURNER was indicted for stealing, on the 2nd of

November, 1 coat, value 5*s*., the goods of Thomas Norris; and 4lbs. weight of candles, value 1*s*., the goods of Robert Dyet, in a vessel in a port of entry and discharge.

THOMAS NORRIS. I am chief officer of the ship *Angerona*, which was lying, on the 2nd of November, in the West India Export Dock, in the Thames. On the Thursday before that the prisoner came to me, and asked me if the medicine-chest wanted refitting—I said no, the ship was to be sold, and the medicine-chest was to go with the ship.

JOHN KELLY. I am apprentice on board the *Angerona*. About two o'clock on Saturday, the 2nd of November, I went into the cabin, and found the prisoner there—the lockers were all open, and some straw and some oakum pulled out on the floor—when I left the ship Norris's coat was on a chair, and when I came back it was on the table, folded up, full of candle-grease—some of these candles were in the prisoner's hat, and some in his coat-pocket—he was tipsy—I asked what he wanted—he said, the medicine-chest—I asked who told him to get it—he said the chief mate told him to get the chest packed up, and all the old clothes in the cabin—as he was going away he fell down, and some of the candles fell from him—I followed, and gave him in charge—they belong to the captain, Robert Dyet—we have missed a quantity like these.

Prisoner. *Q*. Did you not state that I was going down the ladder when you met me? *A*. No.

Prisoner's Defence. I did not know what I did till I was taken—it would have been impossible to escape detection by the gate-keeper.

(The prisoner received a good character.)

GUILTY. Aged 21.—*Recommended to mercy*.—Confined Two Months.

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26. JOHN VALENTINE and SARAH JACKSON were indicted for stealing, on the 28th of September, 2 sheets, value 5*s*.; 1 quilt, value 3*s*.; 1 pillow, value 1*s*. 6*d*.; 1 candlestick, value 1*s*.; 1 looking-glass and frame, value 8*d*.; and 8 pictures, framed and glazed, value 8*s*.; the goods of Edmund Sacheverall.

ELIZABETH SACHEVERALL. My husband's name is Edmund, he is a brush-maker, and lives in Earl-street, Lisson-grove. On the 23rd of September Jackson took a room of mine, at No. 14, Little Church-street—I went to the room the next morning, and she promised to give me the earnest—I saw Valentine there—I called him Mr. Jackson—he lived with her as her husband—I went to the room afterwards, and saw Valentine there alone—I asked if Mrs. Jackson was at home—he said, "No"—I went two or three days after, and there was no one there at all—I examined these rooms, and missed the articles stated—I did not see the prisoners again till they were at Marylebone office—this is my glass.

Cross-examined by MR. BALLANTINE. *Q*. This woman came alone first? *A*. Yes—I do not know that they are not man and wife—Jackson has not told me so—she left the day before the week was due.

EDWARD HORNE. I am shopman to a pawnbroker, in Earnest-street, Regent's-park. I have a sheet pawned by a woman—I believe, the female prisoner.

HENRY DENNINGTON, (*police-constable E* 128.) I took Jackson—she gave me ten duplicates, one of which corresponds with the sheet produced by Horne—I was called to take her on another charge—I took John Valentine, who was sitting at table in Cambridge-court, at the place where I

took Jackson—I went afterwards, and found seven more duplicates in a drawer—I had searched that room before, and there were no duplicates there then, but there was another woman there with Valentine—after I took Jackson to the station-house, Valentine came, and wanted to see Sarah Jackson, his wife—Mitchell gave him in charge—I took him—he was discharged, to appear the next day on this charge.

Cross-examined. *Q.* How came you to call the prisoner Valentine? *A.* He told me his name was John Valentine—I inquired, and found it to be true, and her name is Sarah Fenn—they are not married—these tickets are in the name of Sarah Fenn.

THOMAS MITCHELL. I live in Cambridge-court. Jackson took a room of me—I saw this looking-glass and this petticoat, and some pictures, but I cannot tell how many were brought there by her—she said they belonged to her sister.

Jackson's Defence. I never took the lodging—the sheet was pledged by a lodger—the tickets that were found when I was gone were in the drawer when the policeman searched it—they were given me by a young woman.

VALENTINE—NOT GUILTY.
JACKSON—GUILTY. Aged 24.—Confined Nine Months.

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27. THOMAS FAULKENER was indicted for stealing, on the 25th of October, 2lbs. weight of pork, value 1*s.*, the goods of William Knight, his master.

(The prosecutor did not appear.) NOT GUILTY.

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28. JOHN BOWLS and JOHN SHEARS were indicted for stealing, on the 7th of November, 1 handkerchief, value 1*s.*, the goods of John Bourdelain, from his person.

JOHN BOURDELAIN. I am a merchant. On the afternoon of the 7th of November I was in Lombard-street, at the corner of Gracechurch-street—I had a handkerchief in my pocket—I saw it safe in the shop of Mr. Webster, who lent it me not more than seven or eight minutes before I went to Lombard-street—while I was there I saw the policeman had two boys in custody, and a handkerchief, which I thought was like the one lent to me—I put my hand into my pocket, and the handkerchief was gone—I had borrowed it, because I had my pocket picked before of my own—I cannot swear to this, but it is very much like the one I borrowed.

WILLIAM BRITTON (*City police-constable, No.* 90.) I was on duty at the corner of Lombard-street. I saw the two prisoners and another boy, who got away behind the prosecutor—all their hands were down together—Bowls took the prosecutor's handkerchief—I caught two of them round the waist, and the handkerchief dropped down—I did not see Shears do any thing—Bowls was in the middle, and a little behind the other two—I had not seen the prisoners speak to each other—Shears said Bowles did not belong to him, he knew nothing about him—they both tried to get away—I got them against a post, and picked the handkerchief up.

Bowls's Defence. Another boy took it, and threw it in my face.

BOWLS—GUILTY. Aged 15.—Confined Two Months—Two Weeks Solitary.

SHEARS*—GUILTY. Aged 15.—Transported for Ten Years, to the Convict ship.

OLD COURT.—*Wednesday, November 27th*, 1839.

Third Jury, before Mr. Sergeant Arabin.

29. GEORGE BROWN was indicted for stealing, on the 15th of February, 1 saw, value 1*l.*, the goods of William Allcock; and 1 saw, value 1*l.*; the goods of John Simple; to which he pleaded

GUILTY. Aged 45.—Transported for Seven Years.

30. SARAH DURDEN was indicted for stealing, on the 12th of September, 1 veil, value 4*l.*, the goods of William Pemberton Palmer; to which she pleaded

GUILTY. Aged 15.—Transported for Seven Years.

31. JOHN WILSON was indicted for stealing, on the 2nd of November, 2 sovereigns, 10 shillings, and 4 halfpence; the monies of James Bell, his master; to which he pleaded

GUILTY. Aged 13.—Transported for Seven Years.

32. CATHERINE PURCELL was indicted for stealing, on the 21st of September, at St. James's, Clerkenwell, 1 pearl necklace, value 30*l.*; 2 diamond rings, value 10*l.*; 2 gold chains, value 10*l.*; 1 gold bracelet, value 5*l.*; 1 cornelian necklace, set in gold, value 3*l.*; 2 brooches, value 1*l.* 10*s.*; 1 pair of ear-rings, value 1*l.*; 1 watch, value 2*l.* 10*s.*; 1 rosewood dressing-case, value 5*l.*; 8 pairs of stockings, value 1*l.*; 2 collars, value 5*s.*; 2 scarfs, value 5*s.*; and 5 yards of ribbon, value 2*s.*, the goods of George John Parry, her master, in his dwelling-house.

MR. CLARKSON *conducted the Prosecution.*

MARY PARRY. I am the wife of George John Parry, and live in Warren-street, Pentonville, in the parish of St. James, Clerkenwell. I am the daughter of the late General Brooks—the prisoner came into our service on the 7th of January—I had a sister, whose husband was abroad in February—she died on the 30th of March—I attended her up to the time of her death—she had a rosewood dressing-case containing a variety of jewellery—after her death I collected the articles belonging to her, and put them into her dressing-case—there was a pearl necklace worth about 20*l.*, two diamond rings, and other articles, worth altogether between 50 and 100*l.*—Mr. Clark, the brother of my sister's husband, had sealed the dressing-case in my presence, put it into a leather case, tied a piece of red tape over it, and I brought it to my own house, and placed it in my bed-room—I had no idea of its having been opened up to the 22nd of September, the prisoner continued in our service, and on the 22nd of September she asked leave to go out—I said, "You may go out, but don't be gone six hours"—she said she should not be gone more than five minutes—she went, taking the key of the street-door with her, and never returned—I did not suspect any thing till about a fortnight after—I then lifted up the case, and found the rosewood box and its contents gone—my children were aware of the contents of the dressing-case—they very often talked to the prisoner about it, and I heard her say, if she had one of the diamond rings she could make her fortune, and she would go to Ireland—I did not hear any thing of her till October, when I found her in possession of clothes which she had not when with me—I have since seen a gold watch, ear-rings, and brooch, which were in the dressing-case—this is part of the property lost—(*looking at it.*)

Prisoner. Mrs. Parry's sister had three boxes in the house, and I have known Mrs. Parry have keys made to open them and take out the articles.

Witness. I had keys made to them to examine them at times, in case the should be moth-eaten—there were India shawls, and other things in them.

WILLIAM SHORT. I am head constable of the constabulary of Galway, in Ireland. From information I received on the 16th of October, I went to Dunmow in that county, and found the prisoner there at her father's house—I asked if she had been in England—she said, "Yes"—I asked if she had lived with Mr. Parry—she said, "Yes"—I said some property was taken from Mr. Parry, and I was come to search the place as she was suspected—she denied having any thing—I searched the house, and found the duplicate of the watch in her possession, pawned at Liverpool on the 25th of September—I found the ear-rings and brooch in a box which she said was hers—she said she bought the brooch and ear-rings for 10*s.*, and that she bought the duplicate of a man who went to France—I also found some new clothes—I brought her to town—I went to Liverpool with the duplicate, and got the watch—Dunmow is better than 400 miles from London—she might have got there for about four guineas.

JAMES MILLER. I am an inspector of the N division of police. On the 31st of October the prisoner was brought to me by Short—I found in her pocket this paper, which purports to be a brief of "The Queen on the prosecution of J. S. Parry against Catherine Purcell, case on behalf of the prisoner, &c."—she told me she had got it from an attorney at Tuam gaol.

WILLIAM SHORT *re-examined.* Tuam would be in the prisoner's way from London to Galway—I knew the prisoner before she was married, but not since—she is a widow—her father and mother are industrious people.

(MR. CLARKSON *stated that the brief contained all manner of imputations against the prosecutor.*)

GEORGE JOHN PARRY. I am the husband of the first witness. The prisoner was in our service from February to September—there is no truth whatever in the imputations contained in this brief—I never took any improper liberties with the prisoner, nor did I give her the property.

GUILTY. Aged 20.—Transported for Fifteen Years.

Before Mr. Baron Parke.

33. CHARLES PARKER and CHARLES COLLINS were indicted for feloniously breaking and entering the dwelling-house of John Eastley Hearder, at St. Sepulchre, on the 25th of October, and stealing therein 2 pairs of boots, value 12*s.*, his goods.

WILLIAM THOMAS BRYAN. I am in the service of John Eastley Hearder, a shoemaker in Skinner-street, Snow-hill—it is his dwelling-house—on the 25th of October, between six and seven o'clock, I was in the shop—I heard a window break, ran out, cried stop thief, and saw the officer stop the two prisoners, who were running—three blucher boots were found on Collins, and one on the other—Collins's hand was cut—I had seen them both in company about half an hour before—I looked at the window after the robbery, and found a hole large enough to get the boots through—it had been broken on the Tuesday night previous and shoes stolen, but it had been mended—these boots had been standing on a shelf close to the glass.

WILLIAM ARMSTRONG. I am a policeman. I heard a cry of "Stop thief," and saw the two prisoners running from the prosecutor's shop—I stopped them, and found three boots on Collins, whose hand was cut, and one on Parker.

JOHN EASTLEY HEARDER. These boots are my property, and were made by persons in my employ.

(The prisoners pleaded distress).

PARKER—GUILTY. Aged 19.
COLLINS—GUILTY. Aged 20. } *Recommended to Mercy.*—Confined Twelve Months.

Before Mr. Justice Bosanquet.

34. WILLIAM CARROLL was indicted for unlawfully, maliciously, and feloniously assaulting John Carroll, on the 29th of October, and cutting and wounding him upon his head and forehead, with intent to maim and disable him—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

MR. PRENDERGAST *conducted the Prosecution.*

ELIZA CAROLINE HAWTHORN. I am the wife of Michael Hawthorn, and live in Fleur-de-Lis-street, Spitalfields—the prisoner lived in the ground floor of our house—On Tuesday evening, the 29th of October, I was in my room on the first floor—I heard a noise in his room, opened my door, and stood on the stairs, imagining he was quarrelling with the woman he lives with—I heard him say to his child, "Turn out"—I went down stairs, and saw the child run out—as I came down stairs I met the prisoner in the passage and caught him by the arm as he was striking the child, and entreated him not to strike the child, who was then gone out of the house—the prisoner was following him—he made me no answer, but followed the child, and struck him in the street—it was a dark night, and I could not tell what he struck him with—he then caught him by the shoulder, dragged him several paces along the street, brought him back again to the door, caught him by the shoulder, and threw him into the gutter facing the door—he held him by one hand and threw him down—I think the child's other shoulder came against the ground—he kept his head up—I do not think it touched the ground—I ran over, pushed him from the child, and took the child from him—I screamed loudly, which attracted the attention of persons who came round—I took the child into my own room, and found the blood streaming from his head—the child was always very dirty and very much neglected—a person took him from me and washed him—there was dirt and blood together on his head—I gave him a piece of bread and butter, and he ate it very eagerly—the prisoner told me some time before that the child was six years old—he was rather small for his age—his mother has been dead three years—it was the first time I had seen him ill-use the child—he has lived there nine weeks.

MICHAEL HAWTHORN. I was at home with my wife on the Tuesday night, and heard a noise—I went down stairs on hearing my wife scream and met the prisoner at the door—I asked why he beat his child—he made no answer—I said he had better give him something to eat than use him in that way—the child was brought up to my room—I saw the blood running from its head—a neighbour took it from my wife and washed it—the prisoner came into the room—his woman spoke to him about it, and he made no answer—a policeman afterwards came up and spoke to him about it—he said he was sorry for it—the child was taken from the prisoner by direction of the magistrate.

GEORGE GREEN. I am a policeman. In consequence of information I went to the house and saw the child bleeding from the head freely—I saw two or three cuts in the head—I took the prisoner, and asked how he came to do it—he made no reply, but afterwards said he was very sorry for what he had done—he gave me no reason for it—he was sober—I took the child to a surgeon, and afterwards to the workhouse.

THOMAS MEARS. I am a surgeon—I saw the child at the workhouse—it was in a very deplorable state as regarded its general appearance—it appeared to have been half starved, and was labouring under scald head

—there were two cuts, one on the top of the head and the other on the forehead, and several slight bruises about the face—the cut on the top of the head was contused, as if caused by falling on some hard substance—the skin was divided—one was a decided cut and the other nearly so—the child was taken to the workhouse and put under the care of the parish surgeon—it is here to-day—I saw it a few days after the occurrence, and the change in its appearance was very remarkable indeed, it having been well fed.

Prisoner. I throw myself on the mercy of the Court—it is the first time I ever did it.

GUILTY of an Assault only. Aged 29.—Confined Fourteen Days.

Before Mr. Justice Bosanquet.

35. RICHARD JOHN ROGERS was indicted for feloniously forging and uttering a certain warrant for the payment of 4*l.* 10*s.*, with intent to defraud William Lightly and another.

JOHN NICOLSON. I am engineer on board the *Princess Victoria* steam-vessel, which runs between London and Antwerp. The prisoner was employed on board for the last eighteen months—he was paid by bringing a bill, having it signed by the engineer, taking it to the office, and receiving the money.

GEORGE THOMAS. I live in Surrey-place, Old Kent-road, and am clerk to Messrs. William Lightley and Co., ship-brokers and agents to the Antwerp steam-company. The *Princess Victoria* belonged to them—I have been in the habit of paying the prisoner on his producing vouchers for that purpose—I have paid him in that way ever since he was employed—on the 12th of October I paid him 4*l.* 10*s.*—he produced a certificate which I believed to be signed by the engineer—this is it—(*looking at it*)—it purports to be signed, "John Nicolson"—I paid him on the faith of that certificate, and on the 19th of October I paid him 4*l.* 16*s.* on a similar certificate—they were both presented to me at the office.

JOHN NICOLSON *re-examined.* This certificate for 4*l.* 10*s.* is in the form of those I sign, but it is not my signature—it is not at all like my writing—the certificates were generally brought to me filled up by the prisoner, and signed by me—I do not know whether the body of this is in his handwriting—this other one is signed by me, but since then it has been altered—the words "Repairing four bridges," has been added, and "4*l.* 10*s.*" also—when I signed it it was for 6*s.*

Cross-examined by MR. PRENDERGAST. *Q.* Do you know whether the prisoner can write at all or not? *A.* No, I do not—I never saw him make his mark, nor sign his name—I did not take any account of the sums I issued certificates for, but I never signed for more than 6*s.*

COURT. *Q.* Do you know whether he has done the work stated in this certificate, "Swept the flues, cleaned the bilges, and repaired four bridges?" *A.* I am certain he did not, except that he swept the flues—the "Repairing four bridges" has been added.

MR. PRENDERGAST *called*

RICHARD ROGERS. I am the prisoner's father. He never had an hour's schooling—I never knw that he could read or write—I brought him up till he was eight years old, but I knew nothing of him for three or four years together—I never saw him write.

COURT *Q.* How was he employed? *A.* I hardly know which way

he got his living since he was eight years old—I do not know what he may have learnt since then.

(The prisoner received a good character.)

GUILTY of Uttering. Aged 25.—*Recommended to mercy.*

Confined Two Years.

Before Mr. Justice Bosanquet.

36. ANTONIO FARIEVENEY was indicted for stealing, on the 26th of October, at St. George, Hanover-square, 2 breast-pins, value 250*l.*; 2 coats, value 10*l.*; 11 shirts, value 8*l.*; 6 pairs of drawers, value 4*l.*; 3 pairs of trowsers, value 3*l.*; 15 handkerchiefs, value 4*l.*; 2 waistcoats, value 30*s.*; 1 buckle, value 1*l.*; 1 purse, value 1*s.*; 2 pieces of foreign gold coin, called double moidores, value 1*l.*; 5 single moidores, value 10*l.*; 10 sovereigns, and 1 £20 Bank-note; the property of Nicolas Santoz Suarez, his master, in the dwelling-house of Charlotte Chaplin; to which he pleaded

GUILTY. Aged 25.—Transported for Ten Years.

Before Mr. Baron Parke.

37. JOHN STEVENSON, *alias George Streatley*, was indicted for stealing, on the 15th of October, 1 mare, price 15*l.*, the property of William Goddard.

MR. CARRINGTON *conducted the Prosecution.*

WILLIAM GODDARD. I live at Brimpton, Berks. I had a mare in my possession on Monday the 14th of October—at six o'clock in the evening, I turned her into a meadow—I missed her next morning at four o'clock, and found the gate of the field ajar—I had shut it the night before, and put a stick through the staple—I found her in possession of Wiggins the police-inspector, on the Saturday following.

Cross-examined by MR. PHILLIPS. *Q.* Are you quite sure the mare you saw was yours? *A.* Yes.

LUKE MIDDLETON. I live at Brimpton. I have known the prisoner from a lad, and know his father very well—his name is Robert Streatley—on Monday, the 14th of October, I saw the prisoner about a hundred yards from Goddard's meadow, about seven o'clock in the evening—I do not know whether he lived at Brimpton at that time.

WILLIAM HEDGES. I live in Burn-street, Mary-le-bone. On Tuesday morning, the 15th of October, the prisoner came to me, about ten o'clock, and asked if I had got a low-priced horse that I could exchange with him for one he had got—I said, "I have several, where is yours?"—he said, "Up in Portland-market, at Stevens's potato warehouse"—I sent him to fetch it, and he brought down a brown mare—I asked what he wanted for her—he said, 16*l.*, that his father told him to ask that, but he had broken its knees since he left home, and therefore he considered it worth not so much—I asked what he considered a fair price—he said, 7*l.*—I said, "You don't mean so much as that; I think you must mean about 4*l.*"—he then came down to 6*l.*—I rose to 5*l.*, and agreed for 5*l.* 10*s.*—in consequence of suspicion I locked the mare up, and went to Hempson, a neighbour, and made a communication to him—I took the prisoner with me—shortly afterwards I was obliged to go to Guildhall, and left them—the mare was afterwards in the hands of the police.

Cross-examined. *Q.* Did you see the police take it away? *A.* No, but knew the mare again—I have five or six horses, but I do not think th

was above one or two in the stable—I am positive the one the prisoner sold me was in the hands of the police.

MR. CARRINGTON. *Q.* Did you see it in possession of the policeman? *A.* Yes—and it was the same mare.

JOHN NATHANIEL HEMPSON. I am a butcher, and live in Chapel-street, Edgeware. Mr. Hedges came to me with the prisoner on Tuesday morning, the 15th—he said he had bought a mare of the prisoner for 5*l.* 10*s.*, and requested me to pay him the 5*l.* 10*s.* on his account, and on crossing the shop to my desk he intimated his suspicions—he went away, leaving the prisoner with me—I made an excuse to him that I had not sufficient cash in the house, and must go to Cavendish-square to the bankers to get it—instead of which I got the inspector, who came, and took him.

WILLIAM WIGGINS. I am a police-inspector. Hempson came to me—I took the prisoner into custody—after getting a few yards from the stable he said he wished to go up and see a friend, Mr. Stevens, a salesman, in Portman-market—I said he must go with me—but a few yards further he ran away—he was stopped by another officer—I took possession of the mare—the stable was broken open in my presence—Goddard claimed the mare.

GUILTY. Aged 23.—Transported for Ten Years.

Before Mr. Justice Bosanquet.

38. THOMAS GREEN, FRANCIS TAYLOR, and GEORGE KEMPSTON were indicted for a robbery upon William Townsend, the younger, on the 9th of November, putting him in fear, and taking from his person, and against his will, 1 basket, value 1*s.*; 2lbs. weight of mutton, value 1*s.*; 2lbs. weight of beef, value 1*s.*; 4lbs. weight of flour, value 9*d.*; 1 oz. weight of tea, value 3*d.*; 2 oz. weight of coffee, value 4*d.*; 1½lbs. weight of sugar, value 1*s.*; ¼lb. weight of plums, value 1*d.*; ¼lb. weight of currants, value 2*d.*; and 7lbs. weight of potatoes, value 3*d.*; the goods of William Townsend.

WILLIAM TOWNSEND, JUN. I am eleven years old, and live with my mother in Dudley-street. On the 9th of November I went into the Running Horse public-house, Harrow-road, to ask one of the lodgers if he could send my mother 1*s.*, as he owed her some money—I saw all the three prisoners sitting down there—I stopped there two or three minutes, and the lodger asked me what I had in my basket—I said, "A breast of mutton and a few things"—I had brought a basket from home, and had in it the articles stated, which I had been out to get for my mother—I then came out, and the three prisoners followed me—they said they would take me to the station-house—they would not tell me what for—I said, "I will step up to the station-house to see what I am to go for, I have done nothing, to my knowledge"—directly I got to the corner of the station-house Green and Taylor caught hold of me, and Kempston snatched my basket away—they ran up Park-place as quickly as they could run—two ran together, and the other one walked on, and then ran too—I called "Police" as quick as I could—I met two policemen, who went up to the bridge, and saw Green and Taylor—I gave them in charge, and they were taken to the station-house—Kempston was found next morning—I saw him in the station-house, and they asked me if I knew him—I said he was the one who snatched my basket away—I am sure he is the man.

Green. *Q.* You said at the station-house you could not swear to me?

A. No—I said you were the one—the policeman did not tell me to swear to you.

JAMES PETERS. I am thirteen years old, and work for my father, at Paddington. On the 9th of November, at a quarter to twelve o'clock, I was coming across Paddington-green, and saw Townsend crossing the road, and the three prisoners along with him—I am sure they are the men—two of them collared him, one on each side, and said they would take him to the station-house—he said he would go—they kept on till they came to the corner of Hermitage-street—they stopped there, and Kempston laid hold of the basket, and tore it from his arm, and they ran up Park-place—I ran to the station-house and called the police, but could not make any body hear—I then ran up Park-place—I could not see the prisoners, and as I came back I saw a policeman—I told him—he ran up Park-place, until we met another policeman, who said nobody had passed there—we then went to the stop-bridge, and there saw Green and Taylor coming up—they were secured, and taken to the station-house—Townsend was with us, and pointed them out before they were taken.

THOMAS JOHNSTON. I keep the Running Horse public-house. The three prisoners were in company together in my house on the 9th of November—Townsend came in with a basket, and when he went out the prisoners followed him.

HENRY DAVIS. I am a policeman. I was on duty in Harrow-road—I saw Townsend calling out—he gave me information, and I went up Park-street—I met another constable, went to the bridge, and in a few minutes Green and Taylor came up to the stop-bridge—the boy pointed them out—I took them, and told them I should take them to the station-house—they said, "We will go with you, we have done nothing"—the boy said, in their presence, they had robbed him of his basket—they said they knew nothing about it—I took them to the station-house, and there Green said he had hold of a boy, but he was a bigger boy than Townsend.

RICHARD ROADNIGHT. I am a policeman. On Sunday morning, the 10th, in consequence of information, I looked for Kempston—I found him, between seven and eight o'clock, lying down under the stop-bridge, with two more boatmen—I knew him before perfectly well—I said, "I want you, George"—he said, "What for?"—I said I supposed he knew—he said he did not—I said, "For robbing a boy of his basket last night"—he said he never saw the boy or his basket either—in going to the station-house, I asked what time he left *big-nosed Frank* and Green, meaning the other two prisoners—he said he did not know—I asked him where he left them—he said, "Against the Running Horse public-house"—I sent for Townsend—he said he knew nothing of him—I then sent for Peters, and he said that was the same man who ran away with the basket, while the other two held him.

Green's Defence. When I came out of the Running Horse public-house I saw a boy—I put my hand on his shoulder, and said, "Good night," but it was a bigger boy than that—I then went on by the Red Lion public-house—I did not go near the spot where he was.

Taylor's Defence. I walked to the stop-bridge—I staid there three or four minutes by the policeman and the two boys, and they said nothing to me, till the other man came—they then said, "This is one"—he held a light up to me, and said, "I think this is one"—he said I must go to the station-house—I said I would go any where with them.

Kempston's Defence. When I came out I left them, went to the Red Lio

public-house, and had a pint of beer, and then went to the stop to look for a job.

GREEN—GUILTY. Aged 19.
TAYLOR—GUILTY. Aged 24.
KEMPSTON—GUILTY. Aged 20.
} of Stealing from the Person. Confined Nine Months.

Before Mr. Justice Bosanquet.

39. JAMES LEVY was indicted for unlawfully, maliciously, and feloniously assaulting William Holmes, on the 12th of November, and stabbing and cutting him upon the right side of his head and right temple, with intent to maim and disable him.—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

WILLIAM HOLMES. I am a musician, and live in Little Wild-street, Lincoln's Inn-fields. On the evening of the 12th of November, a few minutes after six o'clock, I was sitting in my kitchen, by the fire-place, with the prisoner's wife, who was living with me—she had separated from her husband, and had lived with me nearly eleven months—I heard a knock at the kitchen door—I said, "Walk in," and the prisoner immediately rushed into the kitchen—Mrs. Levy caught him round the body, to prevent his coming in—I attempted to get up from my chair and approach him, and, directly I did so, he struck out his arm, and struck me in the temple with a clasp-knife, which appeared to be ready-drawn for the purpose—I had no opportunity of separating him from his wife, for the blow was inflicted the moment I got up—I had not touched him—he struck me over his wife's shoulder—he did it wilfully—it cut me an inch in length, and it bled for about three hours—I was attended by a surgeon—it was rather a deep wound, nearly to the bone—I was ill at the time—I had not been out of bed four hours from an attack of rheumatic fever—I was confined to my house in consequence of the wound—the surgeon attended me a week, both for the fever and the wound—at the time the prisoner struck me he said, "There, you ——, take that; and come up stairs, and I will give it you again"—he went quietly up stairs, to the iron railing in front of the house—he did not offer to strike me again—there was a light in the kitchen—the prisoner's wife went and fetched a policeman, and I gave him in charge—he had assaulted me before, and was committed from Bow-street on the 20th of August, and cautioned not to molest me again—I suppose it was on acount of my living with his wife—she came to live with me voluntarily.

Prisoner. I had not the knife open—I had it in my pocket. *Witness.* He had no opportunity of opening the knife, he must have had it open when he came in—he was not intoxicated.

JOB BARBER (*police-constable F* 33.) I took the prisoner into custody—he was standing against the iron railing, outside the prosecutor's house—I saw the prosecutor in the kitchen—he was bleeding from a wound in the forehead—I could not perceive whether it was a deep wound or not from the blood and hair over it—I asked the prisoner no questions—he gave me a knife, and said that was the knife he did it with—it was not bloody—it was a clasp-knife, and was closed—in going along, he said he did it concerning the prosecutor's seducing his wife from him.

Prisoner's Defence. Mr. Holmes enticed my wife away by giving her money—I have been a tenant of his three years and a half—he sent her away while he got me out of the house—he said he would forgive me my rent, and take my things away, if I would go—as soon as he got me away I had my wife and three children back, and they have been living with him ever since—I went by on this day, and heard him playing his fiddle—

I went down to see if I could get my wife, and, directly I went in, he said, "Give me the poker, I will soon drive him up stairs"—my wife said, "Go along up stairs, for God's sake"—they both got hold of me, and pulled me by my collar both ways—I had the knife in my pocket, and I struck him with it.

WILLIAM HOLMES *re-examined.* I did not threaten to knock him out with the poker, or any thing of the kind—I was playing my violin when he came in—I did not lay my hands on him, or attempt to turn him out—I had no opportunity of doing so. NOT GUILTY.

Fourth Jury, before Mr. Recorder.

40. JOSEPH HARDING was indicted for stealing, on the 26th of October, 1 shilling, the monies of Thomas Thorpe, his master.

EMMA BAKER. I live with my brother-in-law, Thomas Thorpe, at the Weavers' Arms public-house, Back Church-lane, Whitechapel. The prisoner was his barman for about nine days—on Saturday, the 26th of October, I was in the bar serving—the prisoner was also serving—I noticed something concealed in his hand, and watched him—I set him to serve a pot or two of beer, and after that he was leaving the bar—I collared him, and said, "You have something in your hand"—he said, "I have not"—I forced open his hand, and there was the shilling—I took it from him, and said, "You good-for-nothing young man," and put him into the warehouse—I called my brother, marked the shilling, and gave it to him.

Cross-examined by MR. BALLANTINE. *Q.* Was he tipsy at the time? *A.* I cannot say he was sober—he made no resistance when I secured him.

THOMAS THORPE. My sister called me down to the bar, and told me what had happened—I called the prisoner a good-for-nothing vagabond, and said, "What have you been doing?"—he said, "I am in your hands, master, forgive me, forgive me"—I said, "What have you been doing?"—he said, "I have taken a shilling out of the till"—he was not quite sober, nor has he been properly so since he has been with me, but where he got the drink I could not find out—it was not at home, and I know he had no money when he came to me.

Cross-examined. *Q.* Are you quite sure he said he had taken it out of the till? *A.* Yes—I have four tills.

ROBERT CAMPLIN. I am a policeman. I apprehended the prisoner—he said he was guilty, and that he had taken the shilling out of the till.

(The prisoner received a good character.)

GUILTY. Aged 36.—*Recommended to mercy.*—Confined Seven Days.

41. DANIEL O'DONNELL was indicted for stealing, on the 25th of October, 1 shovel, value 1*s.* 6*d.*, the goods of Dennis Delay.

DENNIS DELAY. I am a labourer, and live in Onslow-street, Saffron-hill. I lost a spade which I left in a building at No. 9, Grosvenor-square, about half-past four o'clock on the 25th of October—I saw it in the officer's possession in about a quarter of an hour—I bought it in April last, and know it well.

EDWIN BAXTER. I am a constable of the Mendicity Society. On the afternoon of the 25th of October I was in Duke-street, Grosvenor-square, and saw the prisoner go to No. 9, Grosvenor-square, take the shovel off a cask, and come out—he ran up Duke-street—I followed him, overtook him, and asked him what he was going to do with it—he said to tak

it home, and it was his own—I took it from him, and said, "What initials are on it?"—he said, "S. D."—I said, "It is marked D. D."—he said, "Yes, my name is Daniel O'Donnell."

Prisoner. I took it to be my own property—I cut the mark in it myself.

(*Property produced and sworn to.*)

GUILTY. Aged 36.—Confined Six Months.

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42. OWEN FLYNN was indicted for stealing, on the 22nd of November, 4 knives, value 8*s.*; 5 forks, value 4*s.*; 2 steels, value 3*s.*; 3 pairs of snuffers, value 9*s.*; 1 candlestick, value 6*d.*; 1 flat-iron, value 4*d.*; and 1 saucepan, value 8*d.*; the goods of Philip Spencer Harrison.

PHILIP SPENCER HARRISON. I am an ironmonger, and live in High Holborn. The prisoner was employed as a labourer in making an alteration at the back of my premises—I lost the articles stated while the house was under repair, which had been going on about two months—they were in the front shop—the prisoner was not at my premises on the 22nd of November, nor for nearly a fortnight before, but the things might have been taken some time before—I went to Mr. Wiltshire's on the evening of the 22nd in consequence of information, and waited there about an hour—the prisoner then came in, and I gave him in charge.

JONATHAN WILTSHIRE. I am a cutler, and live in Long-lane. The prisoner came to my shop on the evening of the 22nd of November—he produced four pairs of carving-knives, two spoons, and some snuffers—I saw the prosecutor's name on the knives, which caused my suspicion—I told the prisoner to call again—in the meantime I informed Mr. Harrison, and when the prisoner returned he was given in charge.

ANDREW TWIGGETT (*City police-constable, No.* 159.) I took the prisoner into custody—he said he had found the things in the rubbish—that the house dog frequently brought small parcels out of the shop, and buried them in the rubbish—I searched his lodgings, and found a saucepan, a candlestick, flat-iron, and an odd fork.

MR. HARRISON *re-examined.* All these articles are my property—the saucepan has a mark on the cover in my own writing—I have a house-dog, but it never carried out parcels—the things were kept on shelves much above the dog's reach.

Prisoner's Defence. My shopmate could prove that the dog used to take goods, and hide in the rubbish, and that was where I found them.

GUILTY. Aged 23.—*Recommended to mercy.*—Confined Twelve Months.

NEW COURT.—*Wednesday, November 27th,* 1839.

Sixth Jury, before Mr. Common Sergeant.

43. JOHN GREEN and JOHN THOMAS were indicted for stealing, on the 1st of November, 1 coat, value 5*s.*, the goods of Thomas Vesper and another; to which they pleaded

GUILTY.—Confined Three Months.

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44. JAMES HOLGATE was indicted for stealing, on the 6th of November, 110 purse-rings, value 18*s.* 4*d.*; 110 purse-tassels, value 18*s.* 4*d.*; 12 purse-bars and rings, value 12*s.*; 4 slides, value 6*s.* 9*d.*; and 55 boxes, value 4*s.* 7*d.*; the goods of Robert Plumpton; to which he pleaded

GUILTY. Aged 16.—Confined Six Months.

45. JOHN BROADWOOD was indicted for stealing, on the 11th of November, 69lbs. weight of cheese, value 2*l.* 10*s.*, the goods of William Harvey Brook; to which he pleaded

GUILTY. Aged 48.—Confined Three Months.

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46. JOHN HILL was indicted for stealing, on the 2nd of September, 1 chisel, value 6*d.*, the goods of Thomas Gifford; and 1 chisel, value 6*d.*, the goods of Robert Gilkes; also, on the 23rd of October, 2 gallons of varnish, value 2*l.* 10*s.*; 10 brushes, value 10*s.*; 90 nails, value 2*d.*; and 2 staples, value 1*d.*; the goods of Joseph Wright; to which he pleaded

GUILTY. Aged 49.—Confined Six Months.

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47. CHRISTOPHER LYNCH was indicted for stealing, on the 6th of November, 5 yards of waistcoating, value 2*l.*, the goods of Francis Watson Coates and another, his masters.

MR. CHAMBERS *conducted the Prosecution.*

SAMUEL KNIGHT FORTESCUE. I am in the service of Slater and Coates, woollen-warehousemen, Wood-street, Cheapside—the prisoner was their porter. On the 6th of November I went into the warehouse, and saw him behind a pile of waistcoating—he was shuffling about, and moving a piece of goods, and putting it straight at the top—I saw him then throw something under the counter—directly he saw me he said there were three packs we expected from Manchester that morning, and I had better go and fetch the book to copy the weights—I said, "No, they must bring it in themselves"—I staid in the warehouse, and after some time I saw him take the duster, and rub down the counter—he then took some paper, and what he had got under the counter, huddled it together, and walked to the top of the cellar stairs—I asked what he had got—he said, "Nothing"—I said, "Let me see"—he fell down on his knees, and said, "For God's sake don't say a word about it," and then he showed me two pieces of waistcoating which he had got—I told him I would not stand by, and see my master robbed—he said he would make amends for it at the end of the week—I said that would not do—he immediately put on his hat, and went outside the door with the waistcoating—soon after Mr. Coates came in—these are the two pieces of waistcoating he showed me.

Cross-examined by MR. PHILLIPS. *Q.* Did you see him take it? *A.* I saw him take it from under the counter, and he took it away before my face out of the warehouse—that was after he said he meant to pay for them at the end of the week—he ought to have left it behind him—I was examined twice at the Mansion-house—I was sworn twice—I remember being at the Mansion-house on the 14th—what I said was taken down in writing, and signed by myself—I had been examined a week before—on the first examination I was merely sworn, and gave the narrative of the transaction—I do not know if any thing was taken down—I told the whole story on the first occasion—Mr. Hobler was writing—I do not know whether he wrote down what I said—I saw him write as I was speaking—I might have told him to write about the prisoner's falling on his knees—I am not certain.

FRANCIS WATSON COATES. My partner's name is Francis Slater—we carry on business as warehousemen in Wood-street. On the 6th of November, at half-past eight o'clock, I went into the warehouse—Fortescue spoke to me, which induced me to go after the prisoner—I saw him opposite Silver-street, four or five hundred yards off—I asked him what he had under his arm, and took hold of a parcel, which I found to contain two

pieces of waistcoating—I asked him what he had got—he said, "Two pieces of waistcoating," which he meant to pay for on his return from breakfast—I took the waistcoating from him, and suffered him to go—I could not see a policeman—the prisoner never returned to the warehouse—the policeman afterwards went to his lodgings, and searched, and I stood at the door—I sent a large trunk to the station-house—I afterwards examined these two pieces of waistcoating—they were like what we had on our premises—they were not cut even, or by an experienced man—the prisoner had no authority to take them.

Cross-examined. *Q.* How long had he been in your service? *A.* Nearly two years—I had a character with him, but it was not very satisfactory—he has had several things of us for his own use before—he paid for them—these are the receipts for things he has bought—he may have had other articles, but they were regularly entered, and paid for, I believe he sent his wife to me after he had gone home—I did not see her—I got the key of a trunk brought by some one, purporting to come from him—a message came for some clothes for the prisoner to go and consult a solicitor—there was no message came, that I am aware of, that he was ready to appear before me at Guildhall.

MR. CHAMBERS. *Q.* Was it you who refused him the clothes? *A.* We told him they were a the station-house.

JAMES CUTHBERT. I am a street-keeper. I produce the waistcoating, and took the prisoner on the 17th of November down at the East London Dock wall.

Cross-examined. *Q.* Did you get any message stating he was ready to go to Guildhall on the following morning? *A.* No—I saw his wife when I went to his house—she said he was not at home, but would be at the warehouse the next morning.

(The prisoner received a good character.)

GUILTY. Aged 31.—Confined Six Months.

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48. CATHERINE MURPHY was indicted for stealing, on the 30th of October, 3 loaves of bread, value 10*d.*; the goods of Thomas Mackness.

WILLIAM MACKNESS. I live with my uncle, Thomas Mackness, a baker at Shadwell. On the 30th of October the prisoner came and purchased a penny loaf—a policeman afterwards brought her back—she set down a large basket, and pretended she had lost six-pence—I leaned over the counter looking for it, and saw three loaves of bread in the basket partly covered with her apron—they are my master's loaves.

FRANCIS HEAPY. I am a policeman. I took the prisoner—I found these three loaves and a 1*d.* loaf in her basket—she aid she had purchased them of a boy in the shop.

Prisoner's Defence. It is the first time I did such a thing.

GUILTY. Aged 39.—Confined One Month.

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49. BRIDGET KELLY was indicted for stealing, on the 23rd of October, 3 pewter pots, value 3*s.*; and 1 pewter measure, value 1*s.*; the goods of Thomas Weale.

EDWARD DEDRIDGE. I am barman to Thomas Weale, who keeps the Duke of Bedford public-house, Golden-lane. The prisoner came for a pint of porter on the 23rd of October—I served her—she went and stood against a barrel—she then came for another pint and sat down—I missed

the pint pot off the barrel, and I saw her concealing something under her apron—she went out—I followed her—she was running with her hand before her—I saw her go into her house—I got a policeman, and as we were going there, we met her at the door—I asked where the pot was—she said she had taken none, she had put it on the bar—we went in and she brought one pot from under the bed clothes, and the policeman found the others—this is the pot she had been served with—I know it by the number.

Cross-examined by MR. PAYNE. *Q.* She could not have taken all these that morning? *A.* Not all at a time—she has been in the habit of dealing with my master for twelve months—we do not serve other persons with beer who live in the same house, as there are no other lodgers.

THOMAS COTTLE. I am a policeman. I accompanied Dedridge to the prisoner's lodging—I found these 3 pots and this measure there.

Cross-examined. *Q.* Did you find any money? *A.* No—I found nothing for melting pots—I did not take a shilling, a sixpence, and four pence in halfpence off the table.

(The prisoner received a good character.)

GUILTY. Aged 56.—*Recommended to mercy.*—Confined Two Months.

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50. WILLIAM LEATHER, and WILLIAM LEATHER the younger, were indicted for stealing, on the 22nd of October, 1 coat, value 10*s.*; 2 handkerchiefs, value 1*s.*; one sixpence; and three halfpence; the goods and monies of James Feathers.

JAMES FEATHERS. I am pot-boy at the King of Prussia public-house. William Leather, jun., came into the tap room on the 22nd of October—he then went into the skittle ground and sat down—soon after his father came in and sat opposite—they seemed to be strangers to one another—the youngest had some beer, but did not offer his father any—soon after, an old gentleman named Mason came and spoke to the father—not to the son—I left my coat on the railings and went to clean the windows—the elder prisoner said to the younger, "Go, and fetch my pipe"—he said, "Yes, and I will fetch mine too"—he then went out, and several minutes afterwards the father followed—Mason sat down in the tap-room an hour or so—I went out to get my coat and it was gone—it had in it two handkerchiefs, a sixpence, three half-pence, and my club-book—I went to the pawnbroker's, but could see nothing of it—I went to Mason's, and as I was returning I met the younger prisoner, and said "Where is that coat?"—he said, "What coat?"—I said "That which you and your father took"—he said "Hold your tongue, I will give it you"—he took me up Wilks's-place and said, "You go to No. 7, and ask my father to give you the ticket of it"—I said, "No, I shan't"—he ran off down Gifford-street—I had seen him once before.

Cross-examined. *Q.* There was your master, and you, and another gentleman? *A.* Yes—I have never found my coat, nor any ticket—when I called the younger prisoner, he put his hand before my mouth not to halloo.

SAMUEL MILHOUSE (*police-constable N* 142.) Between seven and eight o'clock in the evening, I heard a cry of "Stop thief," and saw the younger prisoner running from the prosecutor—I followed, and overtook him—the prosecutor charged him with stealing his coat—he said he knew nothing of it—I took him to the station-house—he told me before that his father lived in Ivy-lane—he then said he lived at No. 6, Hoxton-town, and after

that he said at No. 6, Curtain-road—I went to Ivy-lane, and found no coat there.

Cross-examined. Q. Did you take the father? A. Yes, about eight o'clock, at his own house. NOT GUILTY.

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51. JAMES KELLY was indicted for stealing, on the 10th of November, 40lbs. weight of lead, value 7*s.*, the goods of James Ponsford, his master.

BENJAMIN WHEELER. I am in the employ of James Ponsford, of Paddington. The prisoner is his carman—we have lead of this description, but I do not know this of my own knowledge.

Cross-examined by MR. PHILLIPS. Q. What do you mean by not knowing it of your own knowledge? A. I cannot tell it from the sight—I have no mark on it—I have not compared it with any lead belonging to Mr. Ponsford—I cannot swear it is Mr. Ponsford's—he has about 400 men in his employ.

GEORGE FELTHAM. I am a police-inspector. At half-past six o'clock on Sunday evening I was going through Paddington—I met the prisoner carrying this bag on his back—I said, "What have you in this bag?"—he said, "Some corn for my horses"—I put my hand on the sack and felt something hard in it—I said, "You have something besides corn"—he said, "Devil a bit"—I said, "I believe you have some lead?"—he said, "If I have, it is more than I know of"—I found this lead in it.

Cross-examined. Q. Did he not tell you that if there was lead in it, some one must have put it in? A. Yes, he wanted me to go to his master. NOT GUILTY.

Fifth Jury, before Mr. Sergeant Arabin.

52. HANNAH LAMBERT was indicted for stealing, on the 30th of October, 2 sleeves, value 3*s.*; and 1½ yard of woollen-cloth, called Lama cloth, value 27*s.*; the goods of Joseph Feather, her master.

ANN FEATHER. I am sister to Joseph Feather, a tailor, in Bunhill-row. The prisoner worked for us about five weeks—she did not live in the house—I discharged her on the afternoon of the 30th of October—after she was gone Foster gave me information—I followed her, and saw the prisoner waiting in Chiswell-street—I asked her if she had any thing—she said, "No"—a little girl was with her, who had got the sleeves, and the prisoner had the other property about her—this is the cloth—it is called Lama cloth—it is worth 27*s.*—our foreman came up and took her to the station-house.

MARY ANN FOSTER. I am single, and work for the prosecutor. The prisoner worked in the same factory—she told me she had been discharged in consequence of a piece of work between her and a little girl—she told me the coat was under the form—I saw her look under the form—she wanted me to be a party concerned in the robbery—I would not—I told another female, and then I told my mistress—I went out with her, and found the prisoner—we went to the bottom of Bunhill-row, and the prisoner said she had got nothing, but afterwards she said she had done it, and was very sorry—when she was at the station-house yard she took the remainder of the coat from her pocket.

ELIZA M'NEIL. I am fourteen years old. The prisoner met me and asked if I should like to go and learn to work—I went to the prosecutor's house—she gave me a pair of sleeves to carry away—she said it was a col-

lar and pair of sleeves, and she must sit up all night to work at it—this is what I carried—when I got to the corner of Bunhill-row my mistress came and took the bundle.

JACOB DAVIES. I am a policeman. I took the prisoner—she said she had done it, and was very sorry for it—after she got to the station-house she produced this from under her gown.

Prisoner's *Defence*. The coat was given me a fortnight before, which Foster knew—she was discharged, as well as me, and she told of this.

GUILTY.* Aged 31.—Transported for Seven Years.

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53. THOMAS MATTHEWS was indicted for embezzlement.

ROBERT DANIEL NICHOLLS. I am a furniture-broker, and live in Brook-hill, Clerkenwell. The prisoner was my errand-boy between two and three months—I allowed him to receive money on my account—he ought to account to me as soon as he received it—he did not account to me on the 26th of October for 25*s.* 6*d.*—his mother called on me four or five hours after he received it, and said he had lost part of the money.

THOMAS TREVILLIAN. I deal with Nicholls—I owed him 25*s.* 6*d.*—the prisoner brought the bill on the 26th—I paid him about six o'clock in the evening—the receipt was written to the bill—I paid him a sovereign and 5*s.* 6*d.*

ROBERT DANIEL NICHOLLS *re-examined*. He did not return to me that day—I paid him weekly—I did not see him again.

NOAH STONE. I am a policeman. I apprehended the prisoner.

Prisoner's Defence. I was coming home with the money, I lost a sovereign, and was afraid to go home.

GUILTY. Aged 15.—*Recommended to mercy*.—Confined Three Months.

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54. JOHN JEMMESON was indicted for stealing, on the 8th of November, 1 coat, value 10*s.*, the goods of Thomas Webb.

THOMAS WEBB. I am coachman to Mrs. Hutchinson. I pulled the coach out of the coach-house in Charles-street Mews, Chelsea, about five minutes before half-past two o'clock, on the 8th of November—I put my box-coat on the box while I got the horses out, and when I came out with the horses, I found the policeman with the prisoner, and my coat—this is it—(*looking at it*)—I have a particular mark on it that I can swear to.

THOMAS HATCHETT. I am a fly-master. I was in Charles-street Mews, washing my flys—I saw the prisoner and two other boys come down the mews—the prisoner returned and took the coat off the coach-box—he rolled it up under his arm—the other two went out at the other end of the mews—I ran and took the prisoner, and brought him back with the coat.

GUILTY.* Aged 16.—Transported for Seven Years.

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55. GEORGE SMITH was indicted for stealing, on the 29th of October, 1 pillow, value 1*s.* 6*d.*, the goods of Alexander Hubbard.

ALEXANDER HUBBARD. I am a broker, and live in Kensington. On the 29th of October, Mr. Spicer came and told me something—I went out for about two hundred yards, and saw the prisoner, who was a stranger, running—I took him with the pillow—it is mine, and was hanging outside the door.

HENRY SPICER. I am a watchmaker, and live opposite the prosecutor.

I saw the prisoner lift something down—I told the prosecutor, and w followed the prisoner, and found the pillow on him.

Prisoner. The pillow lay on the pavement—I took it up, and wen away with it.

GUILTY. Aged 25.—Confined One Month.

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56. WILLIAM WOOD was indicted for stealing, on the 8th of Novem ber, 3 bottles, value 1*s.*, and 2 quarts of wine, value 5*s.*, the goods o Thomas Smith, his master, in a vessel in a certain port, &c.

THOMAS SMITH. I am master and part owner of the brig *Beeswing*, she was lying in the London Docks tobacco-basin. We had some wine in the fore-cabin—on the 8th of November, I missed six bottles of red port, and on the 9th, I missed ten more, and three of white—the mate kept the keys of the place where the wine was—the prisoner, who is the apprentice, was left on board during the night—it was my orders that he should always sleep on board—when I missed this wine, I went to the mate's drawer, and found the key of the wine was broken—I found the lock had been taken off, and put on with small copper tacks—I went forward, and searched the prisoner's berth—I found a small bottle, with a portion of white wine, about a table-spoonfull, quite enough to say it was mine—I went further, to his locker, where no one went but him, and found some more wine in a tea-kettle—I asked the prisoner how it came there—he said it was given him—I then said there was some white wine in a bottle, in the small room—he said, "No, it had gin in it"—I sent for an officer, and gave the prisoner into custody—I believe this to be part of my wine.

Cross-examined by MR. JONES. *Q.* Was this place locked? *A.* No, it was open to any person in the ship—the prisoner was apprenticed for five years—I received no premium with him—I have a son on board this same vessel—he and the prisoner have never had a quarrel, that I know of—I have always suspected the prisoner—I have never charged him before.

THOMAS SYKES. I am apprentice on board the *Redport*, a vessel lying near the *Beeswing*. The prisoner asked me to go on board his vessel—I cannot remember the day I went—we sat for about an hour on the forecastle, and then he asked if I would go in the cabin—I went with him, and he had a key that he unlocked the cabin door with—he opened the table-drawer, took a bunch of keys out, unlocked the locker, and took out some wine in bottles—I cannot remember how many—he took them down the forecastle, and opened them—I had some with him—it was red wine—I went on board again a night or two after—he went in the cabin again, took the keys, and opened the same locker, and took out some wine—I cannot remember how many bottles—some of it was opened and drank—only us two were there—there were both colours—we had one of white, I know—I drank red, I did not have any white—on the Sunday there were some young men on board—there were two bottles of wine drank—they all partook of it—the empty bottles were thrown overboard—I did not throw any over myself—the prisoner afterwards came on board the *Redport*, and asked if we had not any stores of cheese on board that morning—I said we had—he wanted me to take one—on the 8th of November, in opening the lock, he broke the key.

Q. How old are you? *A.* Fifteen—I used to buy wine to drink—I have had a good deal at Oporto—I did not know the prisoner before his vessel came alongside of mine—no one was on board the *Beeswing* when I went on board first—I cannot recollect how many glasses I drank—I had four, I do not think I drank five—I went back to the *Redport* as sober as I came out of it—I think I went five or six times altogether, and drank each time—I never told any body about it, till Captain Smith asked me if I had been on board the *Beeswing*, and if I had drank any wine—I said, "Yes"—I do not know where the prisoner was then—I saw him afterwards, and he said all that I told Captain Smith was false—there were some sailors on board on Sunday—I never saw them before nor since—I have never been charged with stealing the wine—I was never threatened to be taken up for it—I have never been charged with stealing wine before—Captain Smith threatened to take me before the Thames-police, if he found me in bad company—that was all—Captain Smith told me to tell—I did not tell him, because I was afraid of being taken up myself.

COURT. *Q.* You had been on board this vessel? *A.* Yes; and when I was taken I stated what I have done now, which is true.

JAMES SMITH. I am the prosecutor's son—I keep the key of the locker and the cabin-door—the prisoner slept on board at night—Sykes had no business to be on board our vessel—the table-drawer was unlocked—the key was on the same bunch as the key of the locker—I did not take this wine—I have taken wine out of another locker, which was decantered.

Cross-examined. *Q.* Have you never had any quarrel with this lad? *A.* No—no words or dispute—he has never threatened to complain against me to Captain Smith, nor I of him—the steward of the *Redport* cooked on board the *Beeswing*—Sykes was there on the occasion of the cooking.

WILLIAM JONES. I am a constable. I took the prisoner—he denied all knowledge of it—I found three empty bottles near the ship, or under it, and some broken.

Cross-examined. *Q.* Was Sykes present when any thing was said about the wine? *A.* I asked him myself if he knew any thing about the wine, and he denied it.

NOT GUILTY.

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57. ROBERT DUNHAM was indicted for stealing, on the 28th of October, 1 pair of trowsers, value 20*s.*, the goods of John Jones.

JOHN JONES. I am a publican, and live at the Crown tavern, Bayswater. My trowsers were washed and hung out in front of the bar window—I missed them on the 28th of October, about five o'clock in the afternoon—I have seen the prisoner about there—I found my trowsers at Mr. Burroughs's, and bought them of him.

JOHN LOADER. On the 28th of October the prisoner came to Mr. Burroughs's, my employer's shop, and offered to sell a pair of trowsers—they were damp—I asked how they came so—he said they were dirty, and he could not offer them till they were washed—I gave half-a-crown for them—the next morning the prosecutor came and had them.

Prisoner's Defence. I bought them.

GUILTY. Aged 51.—Confined Three Months.

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58. CHARLES ULYET was indicted for stealing, on the 4th of November, 1 half-crown, 6 shillings, and 1 sixpence; the monies of Alexander Mackay, from the person of Helen Mackay.

HELEN MACKAY. I am the wife of Alexander Mackay, a piano-forte-maker—he lives in Little Drummond-street, Euston-square—I got into an omnibus, to go to the Bank, between two and three o'clock in the afternoon, on the 4th of November—when I got in I sat on the right-hand side, going down the New-road—I sat two from the door—the prisoner was in the omnibus when I got in—he made room for me to sit by his side—he sat the third on my right hand, on the same side—I wore my pocket on the side next to him—I had a shawl over my gown—after I had been in about two minutes I felt a touch at my pocket—I had some keys in my pocket—I felt them pressed against me—I was putting my hand to my pocket, when I felt a second touch, and the prisoner directly said to the conductor that he wanted to get out, and told him to stop—I found that my pocket had been picked, and I said, "You have robbed me"—my money had been in a purse—the money was taken out, and the purse put back, and it was the putting it back that I felt—I had known it was safe not one minute before I got in—I have sometimes found the snap of the purse loose—there was in it one half-crown, six shillings, and one sixpence—I lost it all—I gave the prisoner into custody—when I detained him, another man with a cloak on, who had been sitting opposite the prisoner, left the omnibus—I was the last person that got in—I said I had lost 9*s.* 6*d.* at first, but when I counted it up, I had the odd halfpence of the sixpence in my pocket—I had 9*s.* exactly, I am sure, when I got in—I had this money about me before I got in, and I had 2½*d.* in my pocket—one of the shillings I had was a new shilling—the prisoner was searched by an officer directly he was taken to the station-house, and the exact sum that I had in my purse was found in his waistcoat-pocket—one sixpence, one half-crown, and six shillings—the prisoner said, when I accused him of robbing me, he would rather give me all the money he had on him than be exposed—he would give me 5*l.* if he had it—this is the money—I believe it to be the money I had—the bright shilling is among them.

Cross-examined by MR. PRENDERGAST. *Q.* You are not going to swear to this shilling? *A.* No—I had had change in a public-house about an hour before—after I counted what I had spent out of the half-sovereign, I found that I had but 9*s.* left—I had got some beer, and the rest I spent for bread—I lost exactly 9*s.*—that was all the prisoner had about him, as far as I saw—he might have more—I said I had lost 9*s.* 6*d.* before it was found, till I counted what I had—I said 9*s.* 6*d.* or 9*s.*—I was not certain—I bought a pint and a half of beer, and some bread out of the shilling—the beer came to 2¼*d.*—the bread was 4½*d.*, and I had 2¼d. or 2¾*d.* in my pocket—I gave my husband 3*d.*, because I might not be home when he wanted beer—I was going to see a friend at Austin Friars, and I thought of bringing some tea and sugar from the City—I sat on the left side of the prisoner—he did not move from the other side to sit by me, that I saw—he might have done so—when I charged him with robbing me, he held some silver in his hand—I did not see what pocket he took it from—he said he would give me any thing rather than be exposed, as he was a gentleman, and he had done nothing of that sort—I am certain I had not forgotten to take up my money at the public-house—I had it in my purse the minute before I got into the omnibus.

MARY WETHERELL. I am a widow, and a cowkeeper. I got into this omnibus with my daughter in the New-road—the prisoner came in after

us, and sat at the end seat, quite close to my daughter—I did not see the prosecutrix come in, but the prisoner moved, and sat by her side—he was going out, and the prosecutrix said, "You have robbed me"—he said, "How dare you accuse me?"—she said, "You have robbed me, I had 9*s.*, and you have taken it out, and put my purse back again"—the thief that sat next to me had robbed me—he said he would go, and he did—I lost 3*s.*, 24*l.* in cheques, and my pocket-book.

Cross-examined. *Q.* The prisoner changed his seat, and went and sat by the prosecutrix? *A.* Yes—he had taken his station on the opposite side, at the further end of the omnibus—I think the prosecutrix is mistaken in saying he made way for her to sit by him—I think he moved after she got in—there were two or three persons in before I got in—the prisoner got in by himself—he passed me—whether the other man came in with him, I do not know—when the prosecutrix said, "You have robbed me," the other man went out directly—the prisoner took some money out of his pocket—he dropped some, and picked it up.

JOHN CARPENTER. I am a policeman. I took the prisoner—the prosecutrix said she thought she had lost 10*s.* 6*d.*, but she would not be sure what it was—I took the prisoner to the station-house, and found 9*s.* on him—I cannot swear that this is the money I took from him, as I had other money, and put it all together, but I can swear that there was one half-crown among it.

ELIZABETH CULLINGFORD. I am the wife of James Cullingford. I do not know whether I gave the prosecutrix change, or another person.

GUILTY. Aged 21.—Transported for Ten Years.

OLD COURT.—*Thursday, November 28th*, 1839.

Second Jury, before Mr. Sergeant Arabin.

59. THOMAS CATO was indicted for stealing, on the 29th of October, 5lbs. weight of brass, value 2*s.* 6*d.*, the goods of Peter Hayes, his master; to which he pleaded

GUILTY. Aged 37.—Confined Six Months.

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60. FREDERICK PRENTICE was indicted for stealing, on the 26th of October, 4 spoons, value 1*l.* 10*s.*, the goods of Mary Ann Tollins; and 1 pair of shoes, value 6*s.*, the goods of Moses Cohen Azareido; to which he pleaded

GUILTY. Aged 29.—Transported for Seven Years.

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61. GEORGE HANKINS was indicted for stealing, on the 30th of October, 1 handkerchief, value 4*s.*, the goods of Henry Stoate, from his person; to which he pleaded

GUILTY. Aged 19.—Confined Six Months.

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62. JOHN HORNE was indicted for embezzlement.

THOMAS HOLMAN. I manage the business of Mr. Alaric Alexander Watts, of the "United Service Gazette"—the prisoner was there as errand-boy, and occasionally to receive money when I was absent—he should pay money over to me immediately on my arriving at the office, but on this occasion I was confined to my bed by illness, and then he should have brought it to me at the end of the week—he never brought me any from Mr. Clayton, or Mr. Cooper—he absconded during the night of the 1st

November, taking with him the balance of money that he had received during the week—these sums were entered in a memorandum-book by him, but were never paid.

JOSEPH CLAYTON. I am a news-agent. I have a confused recollection of having paid the prisoner some money, but I cannot positively swear to him.

JOSEPH COOPER. I paid the prisoner 5*s.* on Friday, the 1st of November, for advertising, for which he gave me this receipt, signed by himself—(*read*)—"United Service Gazette. Thames Tunnel, 1 insertion, 5*s.* Received, F. H. Nov. 1, —39."

Prisoner. I am very sorry for what has occurred.

GUILTY. Aged 19.—Transported for Seven Years.

(There was another indictment against the prisoner.)

Before Mr. Baron Parke.

63. JOHN CRANE was indicted for feloniously demanding, with menaces, of Frederick James Clark, his monies, with intent to steal them.

(*The particulars of this case were of too indelicate a nature for publication.*)

GUILTY. Aged 24.—Confined Two Years.

Before Mr. Justice Bosanquet.

64. HENRY JONES was indicted for feloniously breaking and entering the shop of John Cheek, on the 8th of November, at St. James's, Westminster, and stealing therein 17 umbrellas, value 7*l.*; and 19 whips, value 13*l.*; his property.

JOHN ARMFIELD SMITH. I was in the employ of John Cheek, of the Strand, at the time of the robbery, and had the care of a shop of his in Burlington Arcade. I left the shop at nine o'clock, on the night of the 7th of November—I secured and locked it—I left every thing in its place—as I went next morning, at half-past nine o'clock I met a person living in the Arcade, who gave me information—I went to the shop, and found the lock had been forced—the door was open—I went and found Mr. Cheek there, and Slark, the witness—seventeen umbrellas had been moved from the glass case, and some from the window—I found them lying on the counter, packed in a cloth bag, and nineteen whips—the prisoner is a stranger—I saw him at the station-house.

Cross-examined by MR. PAYNE. *Q.* Are you quite sure you locked the door the previous evening? *A.* Yes—I was the last person in the shop—there are constables of the Arcade, who attend at the gates at each end at night—they go away when the day-constables come on—the lock was a small padlock, and the staple of the padlock had been forced out—the Arcade opens at eight o'clock in the winter.

WILLIAM SLARK. I am a whip-maker, and live in Burlington Arcade. On the morning of the 8th of November I went to Mr. Cheek's shop, at half-past eight o'clock, from information I had received, and found the prisoner behind the counter—the door was, to every appearance, fast, and the padlock and staple in its place—I had no idea I could get in at the door—I went and peeped in through the window—I then gently pushed the door, and the padlock fell down, and the staple with it—I went and found the prisoner behind the counter—he seemed in a confused state, but was doing nothing then—he was standing there, with the goods on the

counter which had been moved from the window—I asked what business he had there, and he gave me this paper, saying he was authorised by Mr. Cheek to fetch the goods away—I called a porter from the gate, and gave him in charge—(*paper read*)—"For Mr. Cheek, 52, Strand, 12 umbrellas, 18 whips, and 3 canes. Send it by the bearer. Nov. 8th, —39."

Cross-examined. Q. Did he not say he was sent by Mr. Cheek with an order to remove the goods? *A.* Those were the words I believe—he either said he was ordered or authorised—I cannot say whether he said he was sent with an order by or from Mr. Cheek—there are shutters to the shops, but we do not put them up, as we are well guarded—he had broken the window in getting the goods out, which caused the alarm.

JOHN CHEEK. I am owner of the shop in the Arcade. I do not know the prisoner—this paper is not my order—I never saw it till Mr. Slark sent for me at half-past eight o'clock—I went to the shop—I never gave any order or authority to any body to fetch the goods from the shop—I know the goods to be mine—they have been in my possession ever since—I found them on the counter in this bag.

Cross-examined. Q. What time does the Arcade open in the morning? *A.* Seven or eight o'clock, I do not know which.

GUILTY. Aged 21.—Transported for Ten Years.

Before Mr. Justice Bosanquet.

65. GEORGE BROWN was indicted for stealing, on the 25th of November, at St. Giles-in-the-fields, 1 watch, value 5*l.*; 1 watch-guard, value 10*s.*; 1 belt, value 4*s.*; and 56 sovereigns; the property of William Benn, in the dwelling-house of Ann Robinson.

MR. CLARKSON *conducted the Prosecution.*

WILLIAM BENN. I came from America to England—the prisoner came with me—I knew him in America for about twelve months—I came here to buy carpenters' tools—the prisoner knew that, as we verbally agreed together to come over to England, and go to Sheffield, but he was to come first to London, and get money from his friends to buy tools—he knew I had money—my money was to be employed in purchasing tools, and we were to return to America, and open a shop as partners, to sell the tools—I had sixty-one sovereigns, and two or three dollars—I had a watch—the guard to it was not mine—the prisoner had it from a friend of mine, and gave it to me to put on my watch—we came from New Orleans to Havre de Grace—I kept my sovereigns in a belt which I bought at New Orleans—I kept my money in the belt round my waist, inside my clothes—the prisoner knew that—I worked my passage to England as carpenter, to save the expense—the prisoner paid his passage—after wearing the belt some time, I found it inconvenient on board ship, and gave it to the prisoner—he took care of it in his box for me for about six or seven weeks—it was restored to me before we landed—I arrived at Southampton a week ago last Tuesday morning, came to London the same day, and went to lodge at Mrs. Robinson's, No. 22, Little St. Andrew's-street, Seven-dials, the following night—my money was then safe, and in my care—the prisoner and I occupied the same bed—on Sunday, the 24th of November, when I went to bed, I put my watch and belt, with the money, under the pillow on which I slept—I had counted the money about the middle of the week—there were then fifty-six sovereigns, and I had not taken any from

it—I was awoke a little before one o'clock in the morning—the prisoner was by my side in bed at that time, and said he had to get up to go to the back door—he got up, and did not return—I did not hear my watch ticking, and felt for it, and could not feel it, nor the money—I got up, lighted a candle, searched the bed, and my watch, belt, and money were gone—I did not get up till eight o'clock—I then went in search of a coach-office in Fetter-lane, where I had been with him on the Saturday, I believe, but I did not know the name, nor did I know my way about London at all—I come from Cumberland—I found my way to the coach-office—I believe it was the White Horse—I there found the prisoner standing, and a waiter brushing his clothes—I was not willing to expose him before the waiter, and did not speak—he made signs for me to go away, but I did not—the prisoner went through the lobby of the hotel very quickly—I pursued after him, and said, "Hill, you have done me wrong in taking my money"—(I always knew him as Hill)—he said he had, and was very sorry for it—there were a great many people about, and much noise—he said, "We will go into a tavern, and have it settled"—I was going into the parlour, expecting he was following me, but when I turned round he was gone—that tavern is opposite the other—I went out and saw him running—I pursued after him—he turned a corner—some men were a little a-head—I called out, "Stop that fellow," and then he stopped—he said "It is no use making so much fuss about the money," that I should get it again—I asked him for my watch, and he gave it to me—I told him I had no desire to hurt him in the least—he said I could not hurt him, I could not swear to sovereigns—he offered, if I would let him have 5*l.*, he would return me the remainder of it, and half of his clothes—he had better clothes on at that time than I had, but I believe he had not a better stock—he said a friend had one part of the money, and he would go and get it for me—he took me to a hair-dresser's shop, in Whitcombe-street, I believe—when we got there, he went in, and stopped a very short time—he said his friend was not in, and he could not get the money—we walked some distance, and went and had a pint of beer at a tavern—he then said he wanted to go outside—he came outside—I did not come out with him, but did very soon after, and I discovered that he was running along the street—I followed him into the Haymarket—he got into a *cab*, the door of which was standing open, and the driver alongside—he ordered him to go off immediately—I said he should not go, and after some hesitation, he came out of the *cab*, and said he would go to his friend again—we returned to Whitcombe-street—he went into the hair-dresser's shop—I remained outside about five minutes—he came out once, and wanted me to come in, and sit down—I refused—he went back again, and remained about ten minutes—I had seen a boy go by, and told him to send a policeman—the prisoner came out with another person, and came to a tavern—he said his friend was in that tavern, which was ten or twelve yards from Whitcombe-street—he said if I would wait, he would go in for his friend, but I followed him in—he came out very shortly—a policeman was there, and I gave him in charge—the policeman found on him fifty-two sovereigns and 4*s.*

Cross-examined by MR. PAYNE. *Q.* How long had you been in America? *A.* About two years—I have worked at Liverpool two years and a half—I have been twice to America—I was never in London before—I did not show any body the fifty-six sovereigns, besides the prisoner—when he was taken he said the money was his own—he was standing in

Whitcombe-street when the policeman came up—I was talking to him, and gave him in charge.

Mr. Clarkson. *Q.* Was the money all your own, or had you borrowed part of it? *A.* I had borrowed about two-hundred dollars, which is about 48*l.*—the prisoner knew that—when I got to London with him he said his friends were at Cambridge—I never saw any of his friends nor any money—I asked him on Sunday how much money he had, and he said 2*s.* and 2*d.* or 3*d.*

William Kent (*police-constable C* 162.) About a quarter after one o'clock last Monday morning I received charge of the prisoner from the prosecutor, for having stolen 56 sovereigns and a silver watch from him—he produced the watch to me, and said it had been given back by the prisoner—I searched the prisoner at the station-house, and found on him 52 sovereigns, 4*s.*, and a silver watch—the sovereigns were in his trowsers' pockets, loose—I also found a leather case on him—he declined saying any thing before the Magistrate.

Cross-examined. *Q.* Was he not advised by a professional person there not to say any thing? *A.* He was—he did not say the money was his when I took him—he did at the station-house the moment the money was found—Ann Robinson's lodging-house is in the parish of St. Giles-in-the-Fields.

William Benn *re-examined.* I was robbed at one o'clock in the morning, and laid in bed till eight—I was a stranger in London, and did not know where to go to, and night was a very bad time to go to look after him—I sold my tool chest and tools in Havre, for twenty dollars, as it was so heavy and too much trouble to travel with—I left the ship there—I came here to purchase tools to sell for profit at the southern part of America, as there are no tools manufactured there—I meant to buy tools of the same description as those I sold, but mine were out of repair—they would have been worth 30*l.* if new.

GUILTY.—Aged 22. Transported for Ten Years.

Before Mr. Baron Parke.

66. JOHN GILBY was indicted for feloniously killing and slaying Joseph Cordery.

John Biddle. I am a letter-carrier at the Post-office. On the morning of the 28th of October I was in Maiden-lane, standing upon the canal bridge—I saw a chaise-cart coming down the lane—the horse was at a full gallop—there were two persons in the cart—the prisoner was driving and another sitting—there were some cans and mop-handles in it—when it got to the top of the bridge I observed the man who was sitting by the prisoner, speak to him, and the prisoner laughed—I did not observe him whip the horse at all, nor attempt to stop it—I saw them get opposite the Albion public-house, and saw two men coming out of Collard's dust yard, one a little in advance of the other—they did not come through the regular gate, but a place where some palings had been pulled down—they were walking, —they stepped off the foot-path, and made a start forward to cross the road just before the horse—the foremost man succeeded in getting across —the second tried to get across, but finding he could not get past the horse, he made a swing round, when the near shaft struck him in the back —he fell forward, but in falling he caught the shaft, and was dragged several yards—the horse was in the centre of the road at the time the man was

struck, but while he was hanging on, the horse got close up to the foot-path on the left-hand side of the road, which was the side he had stepped off of—just as the horse got to the foot-path, the man left go or was thrown from his hold and fell forward on his face, with his head to the foot-path and his feet in the road, lying in a slanting direction—the near wheel took him just across the hip, and passed over his back from left to right—several people ran and picked him up, and carried him to the Albion public house, and afterwards to the hospital—the cart went on a short distance, and then the prisoner stopped—I was behind the cart after the shaft struck the man, and could not see him—I did not observe him attempt to pull up before it struck him—if he had made a dead stop instead of going over the road, he could not have been run over—he might have seen the cart coming if he looked that way—he could see into the road out of the yard—when he stepped off the foot-path on the road he began to run directly—stepping off the foot-path into the road, which is a descent, gave him rather an impetus.

Cross-examined by MR. CLARKSON. *Q.* Was not this a coke cart? *A.* It might be used for coke—it was a cart to carry goods in—the road is not so wide as the generality of roads—it is a good width, for four vehicles at any rate can pass abreast there—it was a clear light day—I was behind the cart when he was struck with the shaft—not a quarter of a minute elapsed from the time I first saw the cart till the accident happened—I was about thirty yards from the cart—I do not mean to say the prisoner did not attempt to pull up—if the man had looked round, as many cautious persons will, there could not have been cause for the accident—he might have seen the cart if he had stopped and looked for it—I do not know that I have said there was no danger, and that he might easily have seen the cart if he had looked—I say now, if the deceased had used due caution, it would not have happened.

JAMES COLLINS. I am a labourer. I knew the deceased, John Cordery—I was with him at the time of the accident—he was sober—I was going over from the gap in the paling to the Albion public-house to get a pot of beer—I did not see the cart till I was nearly a third across the road—I then saw it coming along at a rapid rate—the deceased was behind me a yard or two—I called to the driver as I crossed, and called out "Murder" to him, that he would kill some one if he did not stop his horse—he tried to stop it, and held as hard as he could—the deceased was not deaf, to my knowledge—the horse appeared coming down the hill in a rapid way—the prisoner did not appear in liquor—it was about eleven o'clock.

Cross-examined. *Q.* Did you see the deceased after the accident and before he died? *A.* Yes—I did not tell him if he had come across when I did, he would have escaped altogether—I could not tell whether the horse was running away or coming at a gentle pace, for I was frightened—I have seen the deceased's widow since the accident—we have never said that if the prisoner had come to the Coroner, it might have been settled for a small sum; but last Tuesday she said the father feed a counsellor and had spent 6*l.* 10*s.*, and if people came forward it would help to assist her—that it would look well in the eye of the public for the father to come and assist her with something—I said it would look well for him to do so—if the deceased had stopped on the foot-path the accident would not have happened—I did not see the cart before I came off the path—I could see along the

road to the level of the bridge—I did not see the cart because I did not fix my eye upon it—I heard no noise when I was on the foot-path.

JOSEPH HARVEY. I was with the prisoner in his father's cart, who is a dealer in coke—the prisoner was driving—he was sober—the horse was going fast, at a sort of gallop—I saw the first man cross the road, but not the second till he had got near the cart—I called out "Stop" once, and the prisoner tried to stop the cart, as soon as he saw the man who was entangled with the shaft.

Cross-examined. Q. He did all he could to stop, did he? A. He did—we could not see either of the men till we got on the crown of the bridge, which is about twenty yards from where the accident happened—the horse was going at the same pace before he got there, between a trot and gallop, at between five and seven miles an hour—I saw the deceased on the pavement just before he got on the road—we called to the first man, and he got over—the prisoner did all he could to stop the horse, and he afterwards took the deceased to the hospital—I do not think the horse was going at more than six miles an hour—it was a cart-horse.

THOMAS HUNT. I am a surgeon. I attended the deceased on Monday, the 20th of October—he died the same day—I opened his body after death—he died of rupture of the liver, left kidney, and spleen, which a cart going over him would occasion.

MR. CLARKSON *called*

SAMUEL FRANCIS. (*police-constable S* 146). I attended the deceased, and assisted in taking him in the prisoner's cart to the hospital—he told me how the accident happened.

JOHN SANDELL. I am an ink-maker, and live in Bell Isle, Maiden-lane—I assisted the deceased into the hospital—he said he did not think he should recover—it was near upon twelve o'clock—the prisoner said he was very sorry for what had happened, and the deceased said it was his own fault as well as his—that he came running to go to fetch a pot of beer with his fellow servant. NOT GUILTY.

Before Mr. Justice Bosanquet.

67. JANE KENDLEY was indicted for stealing, on the 28th of October, 1 pair of shoes, value 3*s.*, the goods of Mary Jones.

MARY JONES. I keep a shoe shop in Brook-street, Ratcliffe. The prisoner came to the shop on Monday, the 28th of October, about one o'clock, and asked to see a pair of shoes in the window—I showed her a pair at 3*s.* 6*d.*—she said she could not give above 1*s.*, and asked for a second-hand pair—I showed her a pair of boots at 1*s.* 2*d.*—she paid me 6*d.*, saying she would call in the evening, and pay the rest—she went away, and I missed the 3*s.* 6*d.* pair of shoes directly—there was nobody but her in the shop, and a little girl, whom I have adopted—I have seen the shoes since at Mr. Fryett's, the pawnbroker—I saw the prisoner there—she said she had not taken them—she passed my door before that—I sent my girl after her, and told her she had robbed me of a pair of shoes, and pawned them at Mr. Fryett's, for my little girl had seen her take them there—she denied knowing any thing about it.

Cross-examined by MR. DOANE. Q. Had you many shoes? A. Yes—I deal in old and new things—we sometimes take deposits—she did not return to the shop about a gown—I had worn the shoes myself three or four

days before, but not fitting me, I sold them—I dare say I have a hundred pairs of second-hand shoes, but not like these.

EMMA CORNISH. I am fourteen years old, and live with Mrs. Jones. I remember the prisoner coming to the shop to buy shoes—she bought boots, and when she was gone the shoes were missed—I saw her again in about five minutes passing the door—I told Mrs. Jones, and she went after her—I saw her go into Mr. Fryett's with the shoes in her hand, about five minutes after she was at the shop—I looked through the window, and saw her put them on the counter—I ran home to tell my mistress, and did not see her come out.

Cross-examined. *Q.* Was it after that she came by your mistress's door? *A.* Yes—by the time I got home she passed the door—Mr. Fryett's is close by us—I knew her before.

CHARLES LOCKYER. I am in the employ of Mr. Fryett, a pawnbroker, in High-street, Shadwell. The prisoner came there to pawn a pair of shoes—I saw Mrs. Jones in about a quarter of an hour—the prisoner was gone then—she came back with Mrs. Jones, who asked if that woman had pawned a pair of shoes—my master said, "Yes"—she looked at the shoes, and said they were hers—the prisoner denied having been to the shop at all—I am sure she is the person.

(*Property produced and sworn to.*)

(The prisoner received a good character.)

GUILTY. Aged 30.—*Recommended to mercy.*—Confined Two Months.

Before Mr. Baron Parke.

68. CHARLES MILLER and JOHN JAMES were indicted for stealing, on the 25th of October, 1 lamp, value 1*s.*; 2 waiters, value 10*d.*; 2 trays, value 4*s.*; 2 shirts, value 9*s.*; 1 oil-can, value 2*s.*; 4 yards of lamp cotton, value 4*d.*; 2 pairs of stockings, value 2*s.*; 1 scarf, value 1*s.*; 1 pair of trowsers, value 1*l.*; 1 printed book, value 1*s.*; 1 gross of buttons, value 5*s.*; 1 flannel waistcoat, value 2*s.*; 1 shawl, value 6*d.*; and 1 bag, value 1*s.*; the goods of Charles Smith.

CHARLES SMITH. I am a tailor, and live at Puckeridge, in Hertfordshire. On the 25th of October I was going from the Bell and Crown public-house, Holborn, to Puckeridge, between three and four o'clock—I had a bag containing the articles stated—I left it inside the booking-office, and walked to and fro in front of the office door a little way, waiting for the coach—I returned in five or ten minutes, and found the bag gone—I saw it again about two minutes afterwards—I cannot exactly say who had got it—a number of people came round the door, and the two prisoners were in custody—I distinctly saw James in custody, but not the other, at the moment—I was rather confused at the time—the bag and the articles in it are my property.

THOMAS BARNES. I was employed at the Bell and Crown public-house on the 25th of October, to look after the coaches—I am in the same employ now. About twenty minutes before four o'clock I saw the prisoner Miller go into the coach-office, take the bag out, and give it to James, who was standing at the corner of Leather-lane, about twenty yards from the coach-office, I think—Miller said, "Here, Jack," and James came to him—they walked as far as Leather-lane, and then Miller gave him the bag—I asked Aldridge, my fellow-servant, who was standing there, if the bag did not belong to one of his passengers—he said it did—I said, "There are two young men just gone up Leather-lane with it"—we followed them up

the lane, and saw them running up the lane with another, who is not here —that one struck Aldridge over the head with an umbrella—he got away —I followed the prisoners up the lane, and did not lose sight of them— when the other man struck Aldridge I *sung* out "Stop thief"—I called a policeman, who was handy, and gave them into custody.

Cross-examined by MR. PRENDERGAST. *Q.* Are you quite sure you saw Miller give the bag to James? *A.* Yes—I am quite sober now—I have not been drinking—I may have had a pint of half-and-half—that is all I have had, and that is three hours ago—I have had nothing since.

Cross-examined by MR. PHILLIPS. *Q.* Where was it you took the half-and-half? *A.* Across the way—I do not know the sign of the public-house—I swear I had no more—I drank it by myself, and paid 3*d.* for it —I have not been drinking with any of the witnesses—James was not at the corner of Leather-lane when Miller gave him the bag—he was three or four yards from the corner—I never said Miller took the bag out of the coach-office, and walked with it to the corner of Leather-lane—(*looking at his deposition*)—this is my mark—(*The witness's deposition being read, stated "I saw Miller take the bag out of the coach-office, and walk with it to the corner of Leather-lane"*)—I did not state that—most likely I have drank some gin to-day, but it was at my own expense—I had a half-quartern with Aldridge, at six o'clock this morning—I have not drank any within this last hour—nor for these two hours—I have not sworn that I had not drank with any of the witnesses to-day—I am not swearing now.

COURT. *Q.* You are on your oath? *A.* I have not taken my oath that I have not been drinking—I am quite sober now.

MR. PHILLIPS. *Q.* Were you drinking gin with any female to-day in any public-house in this neighbourhood? *A.* No—(*looking at a woman*) —I have not drank any gin with her to-day, nor has she paid for any for me—I have not been in her company, that I know of—I do not know her —I had about half a glass three or four hours ago—I did not pay for it— I cannot tell who did.

HENRY ALDRIDGE. I am porter to the Puckeridge coach. I saw the prosecutor put the bag into the office, leave it there, and walk away—I received information about five minutes after, and went with Barnes in pursuit—I saw James running up Leather-lane, with the bag in his possession, and Miller with him—I ran after them, and one not in custody, hit me with an umbrella across the head, which stopped me for about half a minute—it knocked my hat off—I then went on, and saw them again further up the lane—I saw James run into a yard, and get into a cart —he had the bag with him when he ran in—I went in after him, and found the bag in the yard, just inside the gates—I gave it to the prisoner —it is a coach-yard—there is no thoroughfare—the policeman took James into custody—he was in the cart—I do not know whether he was lying down or not, for directly we came to the cart, he got out, and in getting out, he fell down, and the officer took him.

Cross-examined by MR. PHILLIPS. *Q.* Have you been drinking with Barnes at the public-house? *A.* No—I drank with him once, certainly, because I drank some porter with my dinner, about a quarter to one o'clock—it was not half-and-half—I cannot afford that—he drank some porter with me—I left him there by himself—not with any female—I did not drink any gin with him then—I did in the morning, at ten o'clock, with one of the prisoner's friends—it was a man—I have not drank with

any female—the prisoner's friend paid for what we had—I had a quartern—I do not know what Barnes had—he did not drink while I was there—he has not drank any gin with me to-day—I do not consider him sober now.

MATTHEW WILCOX. I am a City policeman. I received charge of Miller, from Barnes, in Leather-lane—Barnes had him in custody—Miller had a blue bag with him, containing a piece of cloth, a pair of Wellington-boots, a pair of soles, and a pair of upper-leathers.

Cross-examined by MR. PRENDERGAST. *Q.* He appeared to be carrying the bag? *A.* Yes—it was not very large—it could not be concealed

JOHN ARMSTRONG. (*City police-constable, No.* 204.) I was in Holborn on the 25th of October—I ran up Leather-lane, when I heard of the robbery—I saw several persons running—I went into a stable-yard on the right-hand side of Leather-lane, and saw James fall out of a cart there—I took him into custody—on the way to the station-house he made a desperate struggle to get from me—I received the bag from Aldridge at the Bell-and-Crown.

THOMAS BARNES *re-examined.* I saw Miller go into the booking-office, and take the bag—he had another blue bag in his hand at the time.

MR. PRENDERGAST. *Q.* Do you mean to swear he had a bag in his hand when he went into the office? *A.* No, I do not—I mentioned it to the policeman, and the Alderman, but the question was not asked me to-day.

(*Property produced and sworn to.*)

(Miller received a good character.)

MILLER—GUILTY. Aged 20.
JAMES—GUILTY. Aged 24. } Confined Twelve Months.

First Jury, before Mr. Recorder.

69. WILLIAM SMITH was indicted for embezzlement; to which he pleaded

GUILTY. Aged 22.—Confined Three Months.

70. CHARLES BARRETT was indicted for stealing, on the 9th of November, 1 watch, value 14*l.*, the goods of Thomas Massey, his master; to which he pleaded

GUILTY. Aged 21.—Confined Three Months.

(The prisoner received a good character.)

71. ANN FLYNN was indicted for stealing, on the 27th of October, 1 waistcoat, value 5*s.*; 2 knives, value 6*d.*; 1 cravat, value 1*s.*; 1 breast-pin, value 18*d.*; and 2 sovereigns; the goods and monies of Michael Handley.

MICHAEL HANDLEY. I am a porter, and live in Wilmore-gardens, Kingsland-road. On Sunday night, the 27th of October, I had been to see some friends at the West, between eleven and twelve o'clock—I went to a house in St. Giles's with a woman—I suppose it was a brothel—I was drunk, so much so I did not know then what I did; but after I got into a room there were two women—I sent one out for some liquor, and the prisoner was left in the room—I suppose I fell asleep—when I awoke I found my waistcoat and neckcloth off, and two sovereigns were gone, which were wrapped up in my waistcoat, in a piece of paper with red letters on it, two knives, and a pin—I spoke to the people who came up into the room,

and while speaking to them the prisoner came up—there was nothing in my hat then, but, as I was going down stairs, my cravat and pin were *hove* into my hat—somebody must have dropped them in, as I am confident they were not there before.

Prisoner. He gave me the two sovereigns. *Witness.* I did not—I was sensible enough to know that, although I was in liquor.

Prisoner. He had been drinking all night with me and two other females in the White Lion public-house. *Witness.* I had not—I had two or three shillings in my trowsers' pocket—that was not gone—I gave 1*s.* to pay for the drink.

ROBERT WARNE. I am a policeman. I went with the prosecutor to Buckeridge-street, between eleven and twelve o'clock at night—he complained to me that he had lost two sovereigns and a waistcoat—he had a hat on, but no waistcoat—the prisoner came up stairs while we were there—he pointed her out, and I took her into custody—in going down stairs my brother officer heard something going into her mouth—he called to me for assistance—I went—he grasped her throat—I put an umbrella-handle into her mouth to keep it open, put my finger in, and pulled out a sovereign—a woman searched her at the station-house—I was not present at the time, but I received 17*s.* 10*d.* from the woman—on Monday morning, as I was taking the prisoner to Hatton-garden, I said, "How came you to rob this man?"—she said, "I wanted money—I had a chance, and therefore I took the chance"—I asked her afterwards what she had done with the waistcoat—she said, "I took the sovereigns out of the waistcoat-pocket, and hid the waistcoat"—I found it in a sort of privy, not in the same house, but in another street.

JEREMIAH CAMPBELL (*police-constable E* 121.) I was with Warne—the prosecutor pointed the prisoner out, and gave her in charge—she denied it—in taking her down stairs, I saw her put something into her mouth—I said, "You shan't swallow that sovereign, if it is one"—she said, "I have nothing in my mouth"—I almost strangled her to prevent her swallowing it—we put the hook of an umbrella into her mouth because she should not bite, and Warne took a sovereign from her mouth—I afterwards went to No. 3, Maynard-street, where I knew the prisoner lived, searched her bedroom, and found two knives and this piece of paper under a pillow, and the waistcoat under the stairs, which the prosecutor claimed.

Prisoner. The girls who were in company with this man live in the same house as me. *Witness.* I know the prisoner, and the person that took the prosecutor into the room where he was robbed—the one he sent for the gin lives at Grout's lodging-house, at the corner of Buckeridge-street.

MICHAEL HANDLEY *re-examined.* These knives and waistcoat are mine, and this is the paper my money was in.

Prisoner. The other girls that had been in company with him were with him up stairs as well as me—I did not say what the policeman has stated.

GUILTY. Aged 24.—Transported for Seven Years.

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72. ROBERT SEARS was indicted for stealing, on the 1st of November, 4 loaves of bread, value 1*s.* 6*d.*, the goods of John Wilson.

JOHN WILSON. I live in Steyman's-row, Holloway. On the 1st of November I saw the prisoner take four half-quartern loaves out of my

window, and run away with them—I pursued him, calling "Stop thief," and he was stopped by Mr. Ellis, about sixty or seventy yards off—I had lost sight of him—he had a smock-frock on—I do not swear to him—he is dressed like the man—he took them with his right hand, and his back was towards me.

Prisoner. He said he was in his parlour, reading the newspaper. *Witness.* I was, and happened to lift up my head, and saw him taking the loaves.

Prisoner. *Q.* If I had a smock-frock on, why did you come up to the witness, and say the person had a frock-coat and cap on? *A.* I meant a smock-frock—I did not say, "Is this the man who had the loaves?" when you were stopped, I said, "This is the man"—you had a smock-frock on when you came into the shop.

JOHN ELLIS. I am a confectioner, and live in High-street, Islington. On the night of the 1st of November I was in Holloway-road, and heard somebody running behind me—I got out of the way to let them pass, and the prisoner and another man passed me—the prisoner had the loaves in his hand—I heard the cry of "Stop thief," ran after them, and stopped the prisoner, with the four loaves in his possession—he said, "What do you want with me? that is the man," meaning the man running in front of him, but I held him till the prosecutor came up—I stopped him about 100 yards from the shop—the other man had no smock-frock on—he had a cap on, and the prisoner a hat.

Prisoner. I said, "That is the man"—I saw him drop the loaves, and I picked them up. *Witness.* He told me that was the person they were crying "Stop thief" for, but he did not say he had taken the loaves up—he dropped them at his feet as I held him—there was no cry of "Stop thief" till after they passed me.

JAMES DEAR (*police-constable I,* 269.) I received the prisoner in charge.

JOHN WILSON *re-examined.* I saw the loaves when found—they were not my baking, but what I purchase—they are exactly what I lost, four joined together.

Prisoner. They were two and two, and when the man caught me behind they split. *Witness.* They were not, they were four together when they left my shop.

JOHN ELLIS *re-examined.* When I stopped him the loaves were all four together—the prosecutor did not ask me if the prisoner was the man.

Prisoner's Defence. He said he was in the shop, the door was shut between the shop and parlour, he looked through the window, hearing a noise, and saw a person in the shop, dressed in a frock-coat and a cap—at the station-house the inspector said, "You mean a smock-frock, sir?"—he said, "Yes, I mean one of that sort"—at the office he said a frock-coat again, and the Magistrate said, "How long have you called these frock-coats in your country?"

JOHN WILSON *re-examined.* The man in the shop had a hat on, not a cap—I said he was in a frock-coat, I meant to say a smock-frock.

(The prisoner received a good character.)

GUILTY.* Aged 23.—Confined Two Months.

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73. CHARLES POWELL was indicted for stealing, on the 15th of

November, 340 yards of lace, value 12*l.* 14*s.*, the goods of Daniel Deacon, and others; to which he pleaded

GUILTY.† Aged 26.—Transported for Seven Years.

74. THOMAS ROGERS was indicted for stealing, on the 9th of November, 4¾ lbs. weight of copper, value 5*s.*, the goods of William Pontifex and others, his masters.

JAMES COULSON. I keep a marine-store shop, in Great Saffron-hill. On the 9th of November, between six and seven o'clock in the evening, the prisoner came to my shop, and asked if I bought copper—I said, "Yes, what sort was it?"—he said he would bring it to me—he came again with part of an ingot, and I took him to the station-house—he said on the road, that it was his own—I said I was confident it was not—he said it was, and at last said he worked for a person in St. John-street—he would not tell me who, but at the station-house he said it was for Mr. Pontifex.

Cross-examined by MR. PAYNE. *Q.* Did you put any questions to him before he told you where he got it? *A.* I told him I knew it could not possibly be his—he prevaricated a good deal, and said he hoped I was not going to do any thing to him—he hoped it would be all right where I was going—I did not tell him I was going to take him to the station-house—he said he hoped I should not hurt him, by which I understood he meant he had stolen it—I told the Magistrate he gave me to understand sufficiently that he had stolen it—(*looking at his deposition*)—this is my writing—it was read over to me—I told the Magistrate he prevaricated a good deal—(*The witness's deposition being read, stated, "I at once took him to the station-house, and on the way there he said he had stolen it."*)—they took my deposition down short.

THOMAS RAWLEY. I am gate-keeper in the service of William Pontifex and others, coppersmiths, in Shoe-lane—the prisoner was in their service—I believe this piece of copper to be their property—I have a piece of the same bar from which it was taken.

Cross-examined. *Q.* How long has he been in the service? *A.* About seven months—he would have been apprenticed to them last Thursday week, if this had not happened—we had five years' character with him—he was very much noticed, and sent out eight or nine times a day on errands—the bar was given out by Donoghue to make sugar spades for the West Indies—the piece found does not match with it, but it is of the same bar—a bar is twelve or thirteen feet long.

THOMAS DONOGHUE. I know the piece of copper which Rawley has, it is off the same bar as the piece Bradley the policeman has, but he is not here—I had divided the bar, on the 9th of November—I saw the prisoner there between four and five o'clock—the part the prisoner took is the piece with a flaw—I saw the same copper produced before the Magistrate by the policeman—it would have to be re-melted.

JAMES COULSON *re-examined.* I saw the copper before the Magistrate—it was the piece the prisoner produced to me.

(The prisoner received a good character.)

GUILTY. Aged 17.—*Strongly recommended to mercy.*—Confined One Month.

75. WILLIAM CHARLES PALLETT was indicted for stealing, on the 26th of October, 1 snuff-box, value 12*s.*, the goods of Charles Pallett.

MR. PAYNE *conducted the Prosecution.*

ELIZABETH PALLETT. I am the wife of Charles Pallett, an egg-merchant, and live in Bloomsbury-market—the prisoner is my son, and lived with us. On Saturday, the 26th of October, he was at home—this snuff-box is my husband's—it was in the second drawer in the scrutoire—I saw it safe about half-past two o'clock in the afternoon, and I missed it about five o'clock—I accused the prisoner of taking it—he denied it.

CHARLES BAKER. I am shopman to Mr. Benton, a pawnbroker in High Holborn—this snuff-box was pawned at our house by the prisoner, on Saturday, the 26th of October, about four o'clock, for 12*s.*—I am certain he is the person—I never saw him before—he was about three minutes in the shop—I asked his name and address, he gave "William Pallett, lodger, 4, Bloomsbury Market," which is his true address and name.

RICHARD ETHERIDGE (*police-constable E* 163.) The prisoner gave me the duplicate of the snuff-box, and said he hoped his father would not prosecute.

ELIZABETH PALLETT *re-examined.* My husband has lost his reason since this unfortunat eaffair—I did not know the box was at the pawnbroker's till I saw it at Hatton-garden—it had been seen in the prisoner's possession, and I gave him in charge—the drawer was not locked—I am sorry to say he is acquainted with bad company, which is the cause of it—he has been apprenticed to a person, and twice fitted out to sea—I have no children but him—my object is, if possible, to get him from his bad associates—I do not know that my husband ever allowed him the use of this—there was snuff in it sometimes, and sometimes not. NOT GUILTY.

NEW COURT.—*Thursday, November 28th,* 1839.

Fifth Jury, before Mr. Common Sergeant.

76. THOMAS WILLIAMS was indicted for stealing, on the 30th of October, 1 basket, value 3*s.* 6*d.*; 1 yard of baize, value 1*s.*; 15 loaves of bread, value 12*s.*; and 3lbs. weight of flour, value 8*d.*; the goods of Thomas Turner; to which he pleaded

GUILTY. Aged 38.—Confined Two Months.

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77. SAMUEL BECKFORD was indicted for stealing, on the 14th of August, 1 watch, value 4*l.*, the goods of George Jones.

RICHARD ADAMS. I am porter to Mr. George Jones, an auctioneer. On the 14th of August a lady's gold watch was brought to me by Mr. Benjamin's boy—it had an enamel of a female's head at the back, and a row of pearls round the rim, and the enamel was broken a little—I locked it up, as we generally do, till about three o'clock in the afternoon, when I took it out and put it behind the counter, and covered it over—I went to look after it the same afternoon, and missed it about five o'clock—it has been since found at Mr. Archbutt's—it is not here.

Cross-examined by MR. CLARKSON. *Q.* Do you know that it was on the 14th? *A.* Yes—I said I thought so, but I know it by referring to a memorandum—it was brought by Benjamin's boy, who is not here.

LOUIS BENJAMIN. I am a jeweller, and live in Princes-street, Leicester-square. On the 14th of August I sent a watch to Mr. Jones's sale

rooms to be sold, and on the 15th I was informed it was stolen—it was a flat gold watch, with a lady's head set round with pearls—my boy who took it to Mr. Jones's is not here—I went afterwards to Mr. Archbutt's shop, and he showed me the same watch—in about a week afterwards Mr. Jones gave me the money to redeem the watch, as it was worth more than it was pawned for—I have parted with it since.

Cross-examined. *Q.* Where did you get it? *A.* I bought it at Debenham and Storr's sale-rooms—I cannot tell when or what I gave for it.

JOHN ARCHBUTT. I live in Bridge-road, Lambeth, and am a pawnbroker. I took the watch in of the prisoner on the afternoon of the 14th of August—I asked him whose property it was, he said his wife's, and I think the remark was made by him or me, that what was his wife's was his.

Cross-examined. *Q.* When Adams first saw the watch did he know it? *A.* He did not know whether it was the watch or not—Mr. Benjamin afterwards saw it—he brought me a note from the auctioneer, and had the watch. NOT GUILTY.

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78. SAMUEL BECKFORD was *again* indicted for stealing, on the 1st of November, 1 coat, value 2*l.*, the goods of Robert Debenham and another.

JOHN WICKS. I am in the employ of Robert Debenham and another, of King-street, Covent-garden. On the 1st of November I saw this coat hanging on a peg there—I hung it up myself, about twenty minutes past one o'clock in the day—it had a ticket on it, "Lot No. 121"—I did not miss it till two o'clock the next day—this is the coat.

Cross-examined by MR. CLARKSON. *Q.* When you saw it again had it the ticket on it? *A.* It had not—it is a black frock coat—we had perhaps a hundred coats—I cannot tell how many black frock coats we had—I know the coat, as on the last day of October I had picked it out to try on a large man, and it was rather too small for him—on the morning of the 1st of November I picked it out again to try on another man, and it was too large for him—I do not know that I ever took more notice of a coat—it has inside pockets, which a frock coat very seldom has—it was bought by a man of the name of Hendry, and we were obliged to return the money—it was sold for 2*l.*, and the duty was 2*s.*

GEORGE CHAPMAN. I am a pawnbroker, and live in Tottenham-court-road. On the 28th of October I sent goods to Debenham and Storr's to be sold, and amongst them a black frock coat, which I believe to be this.

Cross-examined. *Q.* Is there any thing about it to enable you to swear to it? *A.* From the general appearance of the coat, the buttons, and a trifling difference in the shade of the cloth inside.

WILLIAM WOOLLAM SOLOMAN. This coat was pawned with me on the afternoon of the 1st of November—I have a duplicate of it.

WILLIAM HOWARD (*police-constable F* 94.) I took the prisoner on the 12th of November—I found on him a duplicate corresponding with the duplicate produced by Mr. Soloman. NOT GUILTY.

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79. SAMUEL BECKFORD was *again* indicted for stealing, on the 12th of November, 1 coat, value 20*s.*, the goods of Robert Debenham and another.

ROBERT HICKS. I am in the employ of Robert Debenham and Mr. Storr

—I was at their auction-room on the 12th of November—I received directions to watch the prisoner, and when I got on the form, I saw him with a coat on his left arm, attempting to fold it up—as soon as he saw me, he fixed his eye on me, and passed into the crowd—I gave information.

Cross-examined by MR. CLARKSON. *Q.* What are you? *A.* A porter—there were three or four hundred persons there—I did not hear the prisoner bid.

JOHN WICKS. I am in the employ of Messrs. Debenham and Storr. I was in their auction-room on the 12th of November, about three or four o'clock in the afternoon—I received information from Robert Hicks—I passed along, and saw the prisoner drop this coat off his arm—he ran by me—I picked the coat up directly, and looked up at the peg, where he had pulled it from—there hung the string and the ticket, and the button-hole of the coat is torn out—I took the prisoner at the end of the room—we gave him in charge.

(The prisoner received a good character.)

GUILTY. Aged 46.—Confined Six Months.

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80. HENRY DYER and WILLIAM DYER were indicted for stealing, on the 1st of October, 1 truck, value 30*s.*, the goods of George Calvert.

JAMES CALVERT. I work for my father, George Calvert, who lives on Islington-green. On the 1st of November, I went with a range to Brunswick-place, Ball's Pond-road, in an iron truck—when I took the range into the house, I left the truck drawn up to the curb-stone—this was about a quarter before nine o'clock—I was away about twenty minutes, and when I came back it was gone—I went to the station-house, and while I was there I heard a truck going past, I went out, and saw Henry Dyer with the truck—it was then about twenty minutes after ten o'clock.

EDWARD LOW (*police-constable N* 114.) I was in St. Paul's-terrace, and saw the two prisoners putting the truck over the posts at the end of the terrace—they saw me come up, and William Dyer said, "Policeman, will you give me a lift over the posts?"—he said he would give me a glass of gin—I gave them a lift, and asked who the truck belonged to—William Dyer said it belonged to him, that he came from Rotherfield-street, he was going to the floor-cloth makers, to get some floor-cloth, that the other person was a young man he had hired to help him with it to his house.

Cross-examined by MR. CLARKSON. *Q.* Did you state at Worship-street that he said the truck belonged to him? *A.* Yes—it was about half-past nine o'clock at night when I saw them—I saw William Dyer again at half-past one o'clock, he said he had fallen into the river—he asked where his brother was—I said I would take him to the place where he was, and took him to the station-house—he appeared to be drunk.

WILLIAM BOXALL (*police-constable N* 268.) At a quarter past ten o'clock that evening I was at the station-house—I went out, and saw Henry Dyer with the truck.

NOT GUILTY.

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81. THOMAS EVANS was indicted for stealing, on the 14th of November, 1 bag, value 1*d.*; 1 brooch, value 4*s.*; 1 buckle, value 5*s.*; 2 sovereigns, and 2 half-sovereigns, the property of Laura Matilda Gason, from her person.

MR. CLARKSON *conducted the Prosecution.*

LAURA MATILDA GASON. I am single, and reside with my mother in Lincoln's Inn-fields. On the 14th of November, I was walking in High-street, Bloomsbury, towards Oxford-street, at a little after five o'clock—two young men came up to me, and one of them, which was the prisoner, came from behind me—he asked me the way to St. Giles's-in-the-east—one of them had a Mackintosh on—I did not notice the other—I did not give the prisoner any answer, but I drew back from him, and I found that the string that confined my bag was loosened—I was not aware at that time that there were more than two persons together—when I saw them they had hold of each other's arm—it was when I drew back, that I felt the string of my bag loosened—it was on my right arm, and twisted round my wrist—I looked at my arm immediately, and my bag was gone—no part of the string remained on my wrist—the two persons were then on my left-hand side—I should imagine the person who took my bag must have been behind me—I imagine it was cut from my right arm—I had in the bag a purse, containing two sovereigns, two half-sovereigns, and some silver, a brooch, a buckle, and some other things—on observing that my bag was gone, I went up to the prisoner, and said he had taken my bag—he said he was surprised at my saying so, as he was quite innocent—as I was speaking, he stepped some paces from the pavement, and across the way—I saw him stopped—his companion passed on towards Oxford-street—my bag was produced to me yesterday, but none of the money was in it.

Cross-examined by MR. DOANE. *Q.* You were walking alone? *A.* Yes—I never noticed these persons till the prisoner spoke to me—I went from Lincoln's-inn-fields, up Little Queen-street, into Holborn—I felt the string of my reticule loosened, and at that moment it was gone—I was alarmed—I am not aware that I screamed—I think I did not—I had a shawl on—I think I can say that none of the ribbon remained—I looked at my wrist, and I neither saw my reticule nor the string—it had been twisted once round my arm—it was not torn from my arm with violence—my notion is that it must have been cut—it was dusk, not dark.

MR. CLARKSON. *Q.* When you went to the station-house, did you take any of the string with you? *A.* No.

ELLEN GORMAN. I am single, and live with my aunt, in May's-buildings, Down-street, Piccadilly. On the day stated I was in Holborn, nearly opposite Turnstile—I observed three young men walking arm-in-arm, the prisoner was one of them—the prosecutrix was walking before them—I observed the three persons looking all over the lady's person—they sometimes parted, and went before, and sometimes behind her, and looked at her—she did not notice them, but I did—I first noticed them near Turnstile—they went on in the direction the prosecutrix did till they got to the timber-yard, nearly opposite St. Giles's church—I then saw two of them go before the lady as if they were going to speak to her, and the third one stopped at her side on her right hand—I did not hear what they said, but when the two went before her, I observed the third one stoop down, and cut the lady's reticule—the prisoner crossed the road—his companion went straight on towards Oxford-street, and the one that had the bag ran towards Holborn—I did not cry out, nor did the lady, but I observed her speak to the prisoner—I saw Young catch hold of the prisoner—he took him into a shop, and I observed the policeman who came up pick up a piece of black ribbon from the prisoner's shoe—I observed the prisoner

have something about his mouth—Mr. Young said, "You are swallowing something"—the prisoner smiled, but said nothing.

Cross-examined. *Q.* Where do you live? *A.* At No. 6, May's-buildings, Down-street, Piccadilly—I have lived there about two months since I have been out of place—I was in place at King's-cross, and at Golden-square—I was in Holborn, very near to Turnstile, nearly opposite Lincoln's-inn—I have been down that Turnstile once—I do not know whether it leads to a dead wall—I never noticed the wall, but it was nearly opposite that Turnstile which is a long straight passage—they kept on the same side of the way—the two persons who spoke to the lady were in front of her, and the third, who was engaged in cutting the reticule, was on her right side—I then saw the lady speak to the prisoner.

THOMAS YOUNG. I live in Marshall-street, Golden-square. On the 14th of November I met the prosecutrix at the corner of Plumtree-street, Holborn—she was going towards the church—I saw six persons about her—the prisoner was one—I think two of them were full-grown men, and the other four boys—I only noticed three in particular—one of them was about the prisoner's height, and he had a cape on the same as the prisoner had—they were walking in a very confused manner, sometimes before, and sometimes behind the lady, and then they were in conversation together——they were walking rather fast—I had a child which I was leading, and from what I saw I suspected the persons, and took the child up in my arms that I might follow them more readily—I was about six yards behind the prosecutrix when I heard her cry out—I went, and seized the prisoner, who had got off the curb, and was going to cross the road—I should think he had got about six yards from the lady—I pulled him against the cutler's shop—he put his hand into his pocket, and swallowed something, which I could not prevent on account of having the child in my arms—the policeman came up, and the prisoner was taken into the shop, but I did not go in—I had observed his companions separate—I could identify two of them if I saw them.

JOHN CRISPIN RAWLEY. I am inspector of the E division of police. I was at the station-house on the 14th of November—there is a bar in the room where we receive prisoners, behind which they are placed, and the person who gives the charge come through the bar into a room—I observed the prosecutrix come in, she passed about a yard from where the prisoner was standing—after the charge was taken the prisoner was taken to the lock-up place, and after that I observed a piece of black ribbon on the floor, about half a yard from where the prisoner stood—the prosecutrix had to pass to go into the room, and again as she came out—the ribbon laid about halfway between where the prisoner stood and the prosecutrix passed.

JOHN WILLIAMS (*police-constable E* 31.) At a quarter past five o'clock that evening I was passing down High-street, and I saw Young had hold of the prisoner—I took him into a cutler's shop—I found on him 2½*d.* and a comb, and a Mackintosh hung across his arm—I removed the Mackintosh from his arm—I then went to feel down his trowsers, and picked up this piece of ribbon from the toe of his shoe—the prosecutrix was then sitting on a chair, two yards from him.

Cross-examined. *Q.* But you all went in together? *A.* The prosecutrix went in first—the lady of the shop was in there, and the witness was at the door—I did not hear the lady of the shop say, "Here is a piece of ribbon the lady has dropped."

BRIDGET HART. I am nine years old, and am the daughter of John Hart, who lives in Clark's-buildings, St. Giles's. On Thursday, the 14th of November, I picked up a bag over the area of No. 3, Clark's-buildings—there was a pencil in the bag, and two little round things—I took the bag up stairs, and it was given to my father.

GEORGE WESTON (*police-sergeant F* 6.) I received from this child's mother this bag and its contents.

LAURA MATILDA GASON *re-examined.* This is my bag, and a part of its contents—the purse and money are gone—this is part of the ribbon which was to my bag.

GUILTY.† Aged 18.—Transported for Ten Years.

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82. JOHN SMITH was indicted for stealing, on the 7th of November, 1 cloak, value 20*s.*, the goods of William Houseman.

MR. PRENDERGAST *conducted the Prosecution.*

WILLIAM HOUSEMAN. I live in Abbey-road, St. John's-wood. On the 7th of November I was sitting with my family, and heard a noise in the hall—I went there, and my cloak was gone—it was brought back by my son in about ten minutes.

GEORGE VERNON HOUSEMAN. I am the prosecutor's son. I heard a noise in the hall, and my father's cloak was missing—I went out to call the policeman, and as I returned I met the prisoner with the cloak—I asked him whose cloak he had—he said, "It is mine"—I said, "Let me look at it"—he flung it in my face and ran off—it is my father's cloak—on looking in the hall I observed the foot-marks of a person without shoes or stockings—when the prisoner was taken he had no stockings on—he had shoes on, and when they were taken off, his feet were very dirty.

Prisoner's Defence. I picked up the cloak, about forty yards from where the witness met me.

GUILTY. Aged 32.—Confined Six Months.

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83. MATTHEW BRODIE was indicted for stealing, on the 28th of September, 28 yards of printed cotton, value 13*s.* 6*d.*, the goods of Richard Lewellin and others, his masters.

JOHN PATERSON. I am warehouseman to Richard Lewellin, and two others, Manchester warehousemen, Wood-street, Cheapside—the prisoner sold goods for my employers on commission. On the 28th of September he asked me for a piece of print for a shipper or merchant to offer as a sample of a lot—he had had patterns previously—he returned, and said he had shown the print to the shippers—I gave him a piece of twenty-eight yards, and after he had it I inquired who it was for—he said it was for Dunsford and Turner—he was to take an order for the goods—I meant to sell them to Dunsford and Turner—he did not come back to bring me the money—he ought to have left the print at Dunsford and Turner's, or to have brought me the money, if they had bought it—he did not bring back the goods—he came back on several occasions after—I asked him when the sale was to take place—he stated that Dunsford and Turner's agent or agents in Manchester were purchasing for them at the time, and they were waiting to receive an account of what goods their agent had purchased—some few days after the 28th of October, he not having come for some time, I went to Dunsford and Turner's—when I caught the prisoner I asked him what he had done with the goods he had—he refused to give any account of them—I sent for a policeman, and gave him into custody—the goods are here now—these are what I gave him to sell.

Cross-examined by MR. BALLANTINE. *Q.* How long had you known the prisoner? *A.* Three or four months—I have known him as a commission agent, from his own representation—I believed him to be so; he had shewn me goods for another house, which goods I afterwards saw at that house—I treated him as a commission agent in that transaction—I did not buy any goods of him—I trusted him with goods because I thought fit to do so—on a previous occasion he came and had patterns, and effected a sale, and had the commission—he afterwards had other patterns, and he said these shippers wanted other goods—I considered him selling goods for us—I considered he was receiving a commission for what he did for us—he was in no other respect a servant of my masters—I do not know whether he was selling goods for other persons—I had known him some time previously—I parted with these goods on a supposition that he had been an agent acting for other houses—Dunsford and Turner were the persons that would have been debited, but there has not been any goods sold—this piece was sent as a sample of a lot—I delivered the goods to him.

GEORGE WILLIAM DUNSFORD. I am in partnership with Mr. Turner—we are merchants, and live in White Lion-court—I cannot swear to the prisoner, but my impression is that I have seen him—I did not authorise him to get any goods from Messrs. Lewellin for my inspection or for samples—he has never brought to me twenty-eight yards of printed cotton—I never purchased or received any from him—there are many persons call, and I cannot say whether he may have called—if there had been any purchased at our house I must have known it—I do not know Messrs. Lewellin.

Cross-examined. *Q.* You have frequently persons bringing patterns to be looked at? *A.* Yes, and until I had seen them I should not make a purchase—we do not order the goods, we go to see them—my partner is not here—I had three clerks then.

WILLIAM CLOAKE. I am in the service of Samuel James Wood, who is a pawnbroker in St. John-street—I produce twenty-eight yards of cotton—I was at the Mansion-house—I made no deposition—I took this in on the 28th of September—(I cannot swear to the prisoner, I believe it was him)—in the name of William Brown, 27, Pitfield-street, Hoxton—this is the duplicate.

WILLIAM COLLYER (*City police-constable, No.* 89.) I was bound over, but made no deposition—I produce the duplicate of this cotton, which I found on the prisoner—it is the corresponding duplicate to the one produced by the witness Cloake—it is dated the 28th of September.

MR. BALLANTINE *to* JOHN PATERSON. *Q.* If you had not known the prisoner before, and before trusted him with patterns, and had transactions with him before, should you have trusted him with this piece of cotton? *A.* Certainly not.

COURT. *Q.* He was to take this for a sample? *A.* Yes, he was to have brought it back or left it at Dunsford and Turner's—he told me who it was for, I think, the very next day. NOT GUILTY.

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84. MATTHEW BRODIE was *again* indicted for stealing, on the 4th of October, 28 yards of printed cotton, value 13*s.*, the goods of Richard Lewellin and others, his masters.

JOHN PATERSON. On the evening of the 4th of October, one of the warehousemen told me something, and a few days after the prisoner called and stated to me that he had had a piece of print that day which

he had got for Messrs. Dunsford and Turner—my suspicion being aroused that all was not right, I gave him into custody—this is the piece of print—it is the property of my employers, Messrs. Richard Lewellin and Co.—I had seen the lot—I cannot speak to this one print.

NATHANIEL GOODMAN. I have made no deposition—on the 4th of October the prisoner came to the warehouse, and asked for a piece of goods to show to the same parties that he had had them for before—he did not name who, I knew he had the goods for a shipper—he put his hand on this piece, and said, "I want one of these"—I took and threw it down on the counter—either he or one of the young men took it up, and I saw the prisoner leave the ware-room with it.

Cross-examined by MR. BALLANTINE. *Q.* You had known him before? *A.* I had seen him in the warehouse before—this was between three and four o'clock in the afternoon.

BENJAMIN MITCHAM. I am shopman to Mr. John Walton, a pawnbroker, in Aldersgate-street. I produce this piece of print—it was pledged by the prisoner on the 4th of October, in the name of William Burn, 27, Pitfield-street.

GEORGE WILLIAM DUNSFORD. On the 4th of October the prisoner did not bring this print to me, nor can I swear to knowing him at all—if he had left this print at my house I should have known it.

Cross-examined. *Q.* Might he not have called at your house, and shown it, and your partner refused to take it in, and be gone away without your knowing it? *A.* Oh, certainly.

GUILTY. Aged 34.—Judgment Respited.

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85. JOHN SAMUEL WEST was indicted for stealing, on the 1st of November, 73 yards of printed cotton, value 42*s.*, 4 shawls, value 3*l.* 9*s.*; 140 yards of ribbon, value 2*l.* 10*s.*; 27 yards of merino, value 2*l.* 14*s.*: 10 pairs of gloves, value 15*s.*; 36 pairs of stockings, value 2*l.*; 140 yards of canvas, value 3*l.*; 144 buttons, value 1*s.*; 144 hooks-and-eyes, value 6*d.*; 108 reels of cotton, value 15*s.*; 1400 yards of tape, value 1*l.*; 3lbs. weight of pins, value 8*s.* 3*d.*; 144 laces, value 6*d.*; 20 balls of worsted, value 6*d.*; 2 shawl-handkerchiefs, value 4*s.*; 28 handkerchiefs, value 14*l.*; 22 yards of cambric, value 30*s.*; and 9 yards of muslin, value 14*s.*; the goods of Thomas Castle and others, his masters; to which he pleaded

GUILTY. Aged 23.—Confined One Year.

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86. WILLIAM CHEW was indicted for stealing, on the 2nd of November, 3 tame geese, price 12*s.*; 3 tame ducks, price 6*s.*; and 8 fowls, price 12*s.*; the goods of James Stones.

MR. PRENDERGAST *conducted the Prosecution.*

SAMUEL COOK. I am foreman to Mr. James Stones, who keeps the Brecknock-arms public-house, Camden-town. On the 2nd of November I saw the prisoner at the house, in company with Barker and Jones—they were drinking together—they left about half-past ten o'clock at night, and the next morning I missed two geese, three ducks, and eight fowls—I discovered two heads of ducks, and some blood, and a quantity of feathers within a few yards of the place where the poultry had been—I went for a policeman, and tracked the feathers from Mr. Stones' house to the prisoner's house—as we were going towards the prisoner's, we met him and

Barker—I went to the prisoner's house, and went up the stair-case—I saw the prisoner, through the staircase-window, deposit out of his pocket a parcel under two boards in an unfinished shed at the bottom of the garden—I went and asked what he had put under the boards—he said, "Nothing"—I took the parcel up, and asked what that was—he said he knew nothing about it—I then searched the house, and in the kitchen found one fowl stripped of its feathers, and the head pulled off—I looked under the stairs, and found this goose's head, and a parcel of feathers—after that we found a duck thrown over the wall close by the prisoner's house—we found this knife in his trowsers' pocket, at the station-house—it appeared as if it had blood on it—I said, "That is Mr. Stones' knife"—the prisoner acknowledged that it was, and that he had broken it in eating some pie at Mr. Stones', the day before.

Cross-examined by MR. PHILLIPS. *Q.* Did you know him before that night? *A.* I did not—to the best of my knowledge he had frequently been there, but I did not know him—I could not swear he was sober when I saw him at the door at half-past ten o'clock—the heads of the ducks that were found, correspond with the heads of those that were lost—I had no marks on them—this is the head of one of the geese—it is white—the heads of geese are grey in general—here is one leg which I know, as one of the claws was torn at the time Mr. Stones bought it—they were alive, and shut up at five o'clock.

MR. PRENDERGAST. *Q.* You have some feathers here, are they the feathers of your fowls? *A.* Yes, and the feathers which I found in the parcel under the boards, were the feathers of one particular fowl.

RICHARD WAKEHAM (*police-constable S* 24.) I went with the witness to the prisoner's, and saw the property found, as he has mentioned.

(The prisoner received a good character.)

GUILTY. Aged 33.—*Recommended to mercy.*—Confined Two Months.

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87. THOMAS WHITE was indicted for stealing, on the 9th of October, 8lbs. weight of bacon, value 5*s.* 6*d.*; and 3lbs. weight of cheese, value 2*s.*; the goods of William Allen.

WILLIAM ALLEN. I live in Sloane-street, Chelsea, and am a cheesemonger—the prisoner was my errand-boy. On the 9th of October I sent him, between eleven and twelve o'clock, with some cheese and bacon to Mr. Tripper—they had been paid for the night before.

SAMUEL TRIPPER. I did not receive this bacon and cheese—the prisoner did not come to my house that day.

JOHN EATON (*police-constable S* 193.) I took the prisoner—I asked him if he lived in Sloane-street—he said no, but on the way to the station-house he said, "I was sent to Eaton-mews with the things, and a boy named *Jack* Payne met me, he persuaded me to take them to White Lion-street, and we sold them for 1*s.* 6*d.*"

GUILTY. Aged 15.—*Recommended to mercy*—Confined Five Days and Whipped.

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88. EDWARD LANGTON was indicted for stealing, on the 31st of October, 4 pewter-pots, value 4*s.*, the goods of Brice M'Gregor; 1 pewter pot, value 1*s.* 9*d.*, the goods of Daniel Harris; and 1 pewter pot, value 1*s.*, the goods of Thomas Higgins.

BRICE M'GREGOR. I keep the Tilt-yard public-house at the Horse

Guards. These four pint-pots are mine—I do not know when they were lost.

DANIEL HARRIS. I am a publican. I have lost a great many pots—this quart pot is mine.

THOMAS HIGGINS. I am a publican. I have lost pots—this pot is mine.

RICHARD LATTER. I am a Policeman. I took the prisoner on the 21st of October, in King-street, Covent-garden—I found these pots on him—I asked him what he had got, he said, "A little pewter."

Prisoner's Defence. I was in great distress. I found these pots bent as they are now.

GUILTY.* Aged 27.—Confined Six Months.

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89. GRENVILLE HUGH WILLIAM FUZZENS was indicted for *stealing*, on the 9th of November, 2 shawls, value 1*l.*; 2 scarfs, value 3*s.*; and 1 handkerchief, value 1*s.*; the goods of Elizabeth Collins; and 1 shirt-front, value 6*d.*, the goods of John Fuzzens; and MARY ANN NORRIS, for feloniously receiving 2 shawls, part of the said goods, well knowing the same to have been stolen; against the Statute, &c.: to *which* FUZZENS pleaded GUILTY. Aged 10.—Transported for Seven Years—Isle of Wight.

Elizabeth Collins. I am a servant out of place; I lodge with a woman in Molyneux-place. Fuzzens's father lives in the next room to me—I lost the property stated from my box, which I kept in Fuzzens's kitchen—these two shawls are mine.

Cross-examined by Mr. Clarkson. *Q.* You had known Mr. Fuzzens *for some* time? *A.* Yes, and the room being small, I put my box into his room.

John Fuzzens. I am a policeman, and am the prisoner's father. The prosecutrix's box was in my room—I missed my boy and the property —I was in search of him from the Saturday till the Monday—I found him at a house in Providence-place—I asked how he could be such a bad boy as to break the box and take the things, and what he had done with them —he said he had sold them to a woman at a shop in Shouldham-street—I gave him into custody, and went with him and the constable to the house where he pointed out the prisoner Norris as the person who bought the things of him—I asked Norris where the things were that she had bought of the boy, and I think she asked if they were stolen—she went up stairs, and fetched down the largest of these shawls—I asked her what she gave him for that—she said 1*s.* 6*d.*—I then asked where the other was—she called a little girl, who brought her down this other shawl—I asked what she gave him for that—she said 1*s.*—I asked how she could buy shawls of much greater value than what she gave for them of so young a boy—she said she did not know the value, that she asked him his address, and he said he lived in Molyneux-street, that his mother was very much in distress, and wanted something to get a dinner for Sunday—but his mother is dead.

Cross-examined. *Q.* How long have you had reason to believe this boy has been bad? *A.* Ever since he was eight years old, he is now eleven—I have tried every means to reclaim him—I have had him twice before the Magistrate—my wife has been dead ten months—I live in the room I

did when she died—I did not hear the Magistrate say they ought to go out of the door and settle it—Norris keeps a wardrobe shop.

NORRIS—NOT GUILTY.

Fifth Jury, before Mr. Sergeant Arabin.

90. GEORGE TAYLOR and JAMES TAYLOR were indicted for stealing, on the 28th of October, 1 spade, value 2*s.* 6*d.*; 1 mattock, value 2*s.* 6*d.*; and 39lbs. weight of iron, value 1*s.*; the goods of Thomas Tubb.

WILLIAM JAMES BUDD (*police-sergeant S* 1.) On the 29th of October I met the prisoners in High-street, Camden-town, about half-past ten o'clock—George was carrying this old iron, and James carrying this mattock and spade—I followed them till I got assistance—George then had the tools, and James the iron—I then asked what they had got, and George answered, "It is my own"—I said, "Perhaps it is, but you will tell me where you brought it from"—he said from Mr. Fennell's, at Highgate, where he had been at work, digging potatoes—I said, "Do you use such tools as these in digging them?"—he said yes, and he had been at work there two days—I said I did not believe there was such a name—he then said he had forgotten the name, and said he found the tools in a ditch—they gave me their true address.

Cross-examined by MR. HORRY. *Q.* Have you inquired whether there was such a person as the person they say they worked for? *A.* I have, and could not find such a person—they had this iron in a sack—the place I met them at is one way to Highgate.

ROBERT WOOLFE. I am foreman to Thomas Tubb, a cow-keeper in the New-road. This spade belongs to him, and the mattock, I believe, is his—I will not swear to it—they were kept in the cow-shed.

Cross-examined. *Q.* When did the policeman come to you? *A.* On the Thursday, I believe, and I had used the spade on the Monday—these pieces of old iron were in the stack-yard—I missed some of them on the Wednesday morning.

G. TAYLOR—GUILTY. Aged 23.—Confined Three Weeks.

J. TAYLOR—NOT GUILTY.

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91. WILLIAM FAULKENER was indicted for feloniously receiving, on the 18th of October, of an evil-disposed person, 400 pamphlets, value 30*s.*; and 40lbs. weight of printed paper, value 10*s.*; the goods of Richard Jeremiah Clay; well knowing them to have been stolen; against the Statute, &c.

RICHARD JEREMIAH CLAY. I am a printer, and carry on business on Bread-street-hill. I had seen the prisoner once, and I believe no more—I have found a great many pamphlets, and this description of papers, and I judge by that that I have lost them.

Cross-examined by MR. PRENDERGAST. *Q.* You had a great quantity of waste? *A.* Yes—we have no refuse, as we have no cutting press—I employed Mr. Meyrick, and he employed the prisoner—these pamphlets are mine—they were printed many years ago—they are probably not worth more than waste, but they are not what we call waste—I print for various publishers, and what they do not take remains with me, and is my property—this is good waste, and is useful to me in various ways for set-off sheets.

JOHN MEYRICK. I am a stationer. About six or eight months ago

Mr. Clay asked me to clear away his waste paper—I gave the prisoner leave to go and take it in my name.

Cross-examined. Q. Were you to pay any thing for removing it? *A.* No—the person I succeeded in business paid for it, but Mr. Clay gave me the paper for clearing it away—I have had a trouble to prevent things being taken which were not waste—the lads came from Mr. Clay's for bags to put the waste in at the office, pamphlets and other things have come down in the bags, and I have taken them out myself.

GEORGE BROWN. I am in custody, and I am in the employ of Mr. Clay—the prisoner took away the waste for a length of time—about three months ago he complained of its being so bad, and asked me if I could not make it a little better—I gave him a little of what we call better waste, and he put them in the bags himself. NOT GUILTY.

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92. ELIZA HOLT was indicted for stealing, on the 1st of November, one purse, value 6*d.*; two sovereigns and five shillings; the property of John Moores, from his person.

JOHN MOORES. I am a farmer and live at Harefield, in Middlesex. On the 1st of November I had been to London, and on my way home I met the prisoner at the Horse and Groom public-house at Uxbridge, about a quarter before ten o'clock in the evening—I knew her before, as she had been hay-making for me last summer—she asked me to give her something to drink—I gave her and her companions a glass of peppermint and took one myself—as I was coming out at the door, the prisoner caught hold of my left arm and said, "Come along, I want to speak to you"—she led me about six yards, then gave me a twirl round, and got my purse out of my breeches pocket and ran off—I said to my boy, "Run boy, run, she has got my purse"—I had 2*l.* 5*s.* in my purse—she ran round by the market-house, and the policeman afterwards took her—I have never seen my money again, nor the purse—it had been in my right-hand breeches pocket—I did not give it her at all, nor attempt to take any liberties with her.

WILLIAM ROBINSON. I work for Mr. Moores—the prisoner had worked for him as a hay-maker—I was at the public-house when this happened—the prisoner said to my master, "John Moores, you owe me for a day and a half's work"—my master said, "No, I paid you every thing"—we went from that public-house to the Horse and Groom public-house, and the prisoner came and said, "Will you give me something to drink?"—my master said, "I am going to have a pint of beer, and you shall have part of it"—we went, and instead of having beer, we had some gin and peppermint—we drank it—as we came out, the prisoner came and said to my master, "I want to whisper to you,"—she took him about six yards, turned him round, and drew the purse out of his pocket—I saw it in her hand as she was running off to the market-house.

CHARLES FINCH. I live at Uxbridge. I was there on Friday night, the 1st of November—I saw the prisoner take the purse out of the prosecutor's pocket—he hallooed out, "Run boy, run, the girl has got my purse"—she ran away—I went and told the policeman where she lived—we went to her house and took her.

ROBERT MINCHENTON. I am a policeman. I took the prisoner—I have not found the purse.

Prisoner's Defence. I never robbed him, there were two other women came out at the same time.

GUILTY. Aged 37.—Transported for Ten Years.

93. CHARLES BRANCH was indicted for stealing, on the 1st of November, 1¾lbs. weight of horse-hair, value 1*s.* 6*d.*; the goods of John Bartholomew, his master.

JOHN BARTHOLOMEW. I am an upholsterer, and live in Gray's Inn-road—the prisoner had been some time my porter. I found a pound and three quarters of horse-hair in the stable on the 1st of November—it ought not to have been there—I marked it and left it—the prisoner had access to that stable, and as he was going that evening, I called him back, and asked him if he had any thing upon him—he said "No"—I said I thought he had, and he had better go with me to the station-house, and on the way he asked me what I thought he had got—I said, "Horse-hair"—he said, "If I confess, will you forgive me"—I said, "No"—I took him to the station-house, and found this on him.

Prisoner. This is not horse-hair, it is goat's-hair. *Witness.* It is a mixture of horse and goat's-hair—in the trade it is called horse-hair—I did not give the officer any thing.

WILLIAM REYNOLDS. I am a policeman. I took the prisoner—the prosecutor did not give me any money—this mark was in the hair when I pulled it out of the prisoner's breeches.

Prisoner's Defence. My wages not being sufficient to keep me, I had a small business of my own, and went on the 1st of November to a factory and purchased 1¾lb. of curled goat's-hair, but it being dinner hour, I had not time to take it to where I had a sofa to repair—I took it to the prosetor's and kept it there till I went home—my mother has been to the prosecutor, and he said he was sorry for what he had done, as the hair was not his property.

(The prisoner received a good character.)

GUILTY. Aged 25.—Confined Six Months.

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94. ALFRED TAYLOR was indicted for stealing, on the 6th of November, one coat, value 7*s.*, the goods of Thomas Hill.

THOMAS HILL. I am a *cab* driver. On the 6th of November I left my *cab* in Lambeth-street, near Flying-horse-yard—when I returned in about ten minutes, the coat which I had left on the box was gone—my wife went and succeeded in finding it—this is it—(*looking at it.*)

ANN HILL. I am the prosecutor's wife. I went down Rosemary-lane, and as I returned to the end of the Minories I met the prisoner with the coat—I knew it by the lining—I let him pass—I then saw the cuffs and knew it—I took him by the collar and struggled some time, but I never let him go till he was in the hands of the officer.

Prisoner's Defence. I was sitting at home at a quarter before eight o'clock—a young man asked me to go and sell it for him—I was going and met this woman—the other man went away.

GUILTY. Aged 20.—Transported for Seven Years.

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95. JOHN BROWN and WILLIAM SMITH, *alias Giles*, were indicted for stealing, on the 25th of October, 3 shirts, value 5*s.*; one pair of stockings, value 1*s.*; one frock, value 1*s.*; and one pair of drawers, value 1*s.*; the goods of Jonathan Jaques.

CHARLES HAGAR. I am a policeman. On the 25th of October I was in Limehouse between eight and nine o'clock, and saw the two prisoners and another person together—I noticed them coming up the street—I knew them before—I was about to speak to them—they turned up New-street,

saw me following them, and ran—I went down another street and met them—I caught Smith and he dropped a shirt by his side—he said he had been down to wash—I then took him into a shop, and found the stockings in his pocket—Brown had then ran away—I found him the next night—I am quite positive he is the person—I should think they were a mile from the prosecutor's.

MARY ANN JACQUES. I am the wife of Jonathan Jacques—he lives at Blackwall—these are our property—I lost them from the yard at the back of our house—there were three shirts—two of them are lost, and a pair of drawers.

Smith's Defence. I bought the shirts and stockings in Ratcliffe Highway.

BROWN*—GUILTY. Aged 20.
SMITH*—GUILTY. Aged 17. } Transported for Seven Years.

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96. MARIA LANCASTER was indicted for stealing on the 26th of October, 8 yards of calico, value 2*s.* 6*d.*; the goods of Richard Ensell.

RICHARD ENSELL. I keep a linen-draper's shop in Broad-street, St. Giles's. On the 26th of October a person gave me information—the prisoner was not a yard and a half from the shop at the time—I looked at her cloak, and saw a bulk under it—I staid for a minute for a policeman—when she saw she was observed, she threw this calico down by the rails at the window—I took it up and took hold of her—it had been on a chair at the door.

CHARLES STOKES. I was passing—I saw the prisoner take the calico off the chair—I went in and told the prosecutor.

Prisoner's Defence. I was coming up Drury-lane, and picked it up by the window.

GUILTY. Aged 29.—Confined Six Months.

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97. CHRISTOPHER GLYNN was indicted for stealing, on the 29th of October, 4 shillings and 1 sixpence, the monies of William Radburn, from his person.

WILLIAM RADBURN. I am a lighterman, and live in London-street, Ratcliffe. I have known the prisoner about two years—I have occasionally employed him for steering the craft up and down the canal—I was at the Rose and Crown public-house on the 29th of September—the prisoner came in with another man afterwards—while I was passing to go out, the other man held me, while the prisoner took my money out of my pocket—he took four shillings and one sixpence—I called the landlord—I held him—in five or six minutes the man who were with him got away—they threatened to *punch* my head for interfering with them—I accused the prisoner of robbing me—the landlord came—I kept the prisoner—the landlord searched him—he said he had no money, and none was found on him.

WILLIAM MOORE. I am pot-boy at the Rose and Crown public-house at Cambridge-heath, Hackney. I was in the tap-room, and saw the prosecutor near the door coming out—the prisoner and his companions stopped him, and made a sort of hustle—as soon as the prosecutor got away, he called out to the landlord, and told him he had been robbed—while he was telling the landlord I saw the prisoner take something from his mouth, and give it to the other man—I told my master, who sent me for a policeman—when I came back the other man was gone.

JOHN WILLIAM RAYNEY. I keep the Rose and Crown public-house. The prosecutor told me he had been robbed by the prisoner and his com-

panion—I went and told the prisoner—he denied it—I told him to take off his things—I could find no money—my servant called me out, and told me something—I said I would search the other man, but he sprung from me, and said he would search the prisoner himself—he put his hand down to his right-hand trowsers' pocket, and I heard some money jink—I said, "I hear the money jink," and he took out 3*s.* 6*d.*, threw it on the table, and said, "There is the money"—the other got away, and the officer came and took the prisoner.

Prisoner's Defence. I went in and sold an article for 2*s.* 6*d.*—the prosecutor was there *larking*—he shoved me on the fire, and I shoved him on, there was a crowd altogether, and then the prosecutor said, "You have robbed me of 4*s.* 6*d.*"—I said, "I will be searched"—I gave them 2*s.* 6*d.*, and then he came and took 3*s.* 6*d.* from my trowsers.

GUILTY. Aged 25.—Confined Three Months.

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98. EDWARD GREEN was indicted for stealing, on the 5th of November, 1 handkerchief, value 5*s.*, the goods of Hugh William Ruel, from his person.

HUGH WILLIAM RUEL. I am a refiner, and live in Broad-street, Bloomsbury. About six o'clock in the evening of 5th of November I was in Holborn—I had a handkerchief in my coat pocket—I felt it go from my coat pocket—I turned round, and saw the prisoner crossing the road—I went after him, and charged him with taking my handkerchief from my pocket—he said he had not, but a boy had—I took his collar—he let the handkerchief fall—I took it up, and gave him into custody.

Prisoner's Defence. I was crossing the road, and dragged the handkerchief with my foot.

GUILTY.* Aged 20.—Transported for Ten Years.

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99. JAMES SORTWELL was indicted for stealing, on the 9th of November, 1 boiler, value 2*s.* 6*d.*, the goods of Philip Spencer Harrison.

CHARLES SMITH. I keep a shop for Mr. Philip Spencer Harrison, in Victoria-road, Pimlico. We had a boiler on the 9th of November—the officer came and asked me if I had lost it, and I then missed it—this is it.

JOHN JEFFS. I am a policeman. I saw the prisoner take this boiler from the shop—he carried it before him for 100 yards, and I took him.

Prisoner's Defence. I was going to purchase it—I took it up, and the lid fell off—I was intoxicated.

GUILTY. Aged 28.—Confined Six Months.

(There was another indictment against the prisoner.)

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100. GEORGE THOMPSON was indicted for stealing, on the 14th of November, 2 knives, value 2*s.* 6*d.*, and 1 teapot, value 2*s.*, the goods of George Richardson; and that he had been before convicted of felony.

GEORGE RICHARDSON. I keep a shop at Kensington. I had some knives and teapots in the window on the 14th of November—they were safe at seven o'clock in the evening when I went out, and when I returned between ten and eleven o'clock the articles stated were gone—I found them and the prisoner at the station-house—I do not know him.

JOHN EVANS. On the evening of the 14th of November I was going up High-street, Kensington, and saw the prisoner take the things out of the prosecutor's window—he came out, and gave something to another boy, and they all ran towards London.

Prisoner. Q. Did you see me take the teapot? *A.* I saw you take down the guard, and take the things from the window—there was another boy outside, and you came to him.

PATRICK HAMMERSLEY. I am a policeman. I took the prisoner about half-past eight o'clock that night—he was in company with two others—I found these two knives on his person, and I found the teapot the next morning close to the spot where the prisoner was taken, within the railings of Hyde-park.

Prisoner's Defence. I had been to Kingston fair, and as I returned I met two boys—I got talking to them, and when I was taken I was twenty yards a-head of them—they came running after me, and showed me the knives—I took them in my hand to see what was the value of them—the boys ran away, and the policeman took me.

JAMES SMITH. I am a policeman—I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the man.

GUILTY. Aged 14.—Transported for Seven Years—Convict Ship.

OLD COURT.—*Friday, November 29th*, 1839.

Third Jury, before Mr. Sergeant Arabin.

101. GILES COLLETT was indicted for stealing, on the 29th of August, 72 knives, value 4*l.*; 48 forks, value 2*l.*; 1 bottle-jack, value 9*s.*; 12 spoons, value 4*s.*; 1 bell-pull and crank, value 1*s.*; and one brush, value 1*s.*; the goods of John Prowse, his master; to which he pleaded

GUILTY. Aged 34.—Transported for Seven Years.

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102. JOHN MILLS was indicted for stealing, on the 13th of November, 15 sovereigns, and 10 half-sovereigns, the monies of Frederick Sparrow; to which he pleaded

GUILTY. Aged 23.—Transported for Seven Years.

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103. SARAH GREEN was indicted for stealing, on the 15th of November, 2 pairs of shoes, value 5*s.*, the goods of William Henry Stevens; to which she pleaded

GUILTY. Aged 23.—*Recommended to mercy.*—Confined One Month.

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104. REBECCA BECK was indicted for stealing, on the 3rd of November, 4 sovereigns, the monies of Richard Pearce, her master; also for obtaining 3 sovereigns by false pretences: to both of which she pleaded

GUILTY. Aged 17.—Transported for Seven Years.

(*Recommended to the Penitentiary for One Year.*)

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105. WILLIAM BARTON was indicted for stealing, on the 13th of November, 7 pence, and 2 halfpence, the monies of Louis Adolphus Durieu, his master.

LOUIS ADOLPHUS DURIEU. I am a tallow-chandler, and live in Drury-lane. The prisoner was my candle-maker—his wages averaged 26*s.* a week—I missed small sums out of my till from time to time, in consequence of which I marked twenty-four penny pieces, and twelve halfpence, and put them into the till, about eleven o'clock on the night of the 11th—next morning I went into the cellar where he was at work, I said some money had been taken from my till during the morning, and it

must have been taken by him or his boy—he said his boy had not been into the shop—I said I supposed he would allow me to look into his boy's pockets—he turned them out, and he had none of my money—I then asked to look at his, and he presented me with a penny and a halfpenny—the penny I immediately recognised to be one I had marked—I had called two policemen to the head of the stairs, and directly I saw it was my penny, I said, "Halloo, come down"—I saw the prisoner go to a tub of tallow, and put something in—I gave him into custody, and he was taken to the station-house—I searched the tub afterwards, with the policemen, and six penny-pieces and two halfpence were found, all of which I had marked.

Cross-examined by MR. PAYNE. *Q.* What is the mark? *A.* My initial D., with the point of a pen-knife—the till was locked—none of the halfpence were taken out of the till and placed on the counter—I locked the till, and laid the key in the drawer, a place I supposed only known to my confidential men, whose business it is to look at the till in the morning—I had not paid any of the marked money away—the prisoner is married, and has three children—he lived with me fifteen or sixteen months, and before that with Mr. Davis, of St. Martin's-lane, for two years—I had a good opinion of him.

JAMES LOCK. I am a policeman. I was sent for, and was present when the money was taken out of the tallow tub—I have had it in my custody ever since.

Cross-examined. *Q.* Did you see the prisoner go to the tub? *A.* He was standing at the tub at the time he was taken.

GUILTY. Aged 39.—*Recommended to mercy.*—Confined Six Months.

Before Mr. Baron Parke.

106. WILLIAM LEES was indicted for the wilful murder of Elizabeth Lees; he was also charged on the Coroner's inquest, with the like murder.

MESSRS. CLARKSON *and* BODKIN *conducted the Prosecution.*

SARAH BAILEY. I am the prisoner's sister—my husband is a shoemaker, living in York-street, St. Luke's. On Monday afternoon, the 18th of November, the prisoner came to our house about four o'clock—when I came down stairs I went into the room where he was—I was very much alarmed at his appearance—he put his hand out, and gave me the key, and said, "There is the key," three times—he then appeared almost choked, and said he was a murderer—he got up and asked me to come and see, several times, and he put my bonnet on, and took me round the waist, and said, "Come and see," again—we went out—he was walking with a very firm step, with my brother John, till we got to the middle of St. Luke's madhouse, where the pavement was—(my brother John and his wife had come out with him besides me)—he then rushed from my brother John, came and seized me by the hand, walked a few steps further, and then looked round for my brother again, and when we were both together, he plunged his arms out again, and said, "A murderer"—I was very much alarmed at his appearance then, and called a coach—we all got in, and got out near Chapman-street—the prisoner and his wife lived in Chapman-street—when we got out he went up one street and down another, as though he wanted to go in, and did not like to—I had the key—they were talking about half-and-half, or something.

Q. Was the door opened? *A.* I waited, and I thought I should have fallen down in the street, and I went into Mrs. Hawes's, the green-grocer's—I at last went into the prisoner's house—I got to the door first—I tried to

open the door, but could not—my brother William then tried, and he could not—I think my brother John opened it—I then went in—I found the deceased, my brother's wife, in the house, on the floor—her christian name was Elizabeth—I felt about, but I could not see where she was—I got hold of her hand, and felt it was warm and stiff, and I asked if I should fetch a doctor—the prisoner then seemed very much agitated, and said, "Oh, she is dead," three times—I could not stay any longer—I got out of the house.

Cross-examined by MR. RYLAND. *Q.* When he told you he was a murderer you did not believe him, I believe? *A.* No, I did not—I said, "No, you never can be," or something to that effect—I was very much alarmed by his general appearance, his head looked such a size—I was unwilling to go with him at first—I did not believe it was so—he pressed me to go.

Q. Did he appear, during the whole time you were with him that day, like a man in his senses? *A.* He did not, he was a distracted man—I have seen him and his wife very much together—I lived with them for three years—he appeared very fond of his wife when sober, and when he was drunk too, unless he was aggravated to passion—his general conduct to her was kind and affectionate—I have seen him very much aggravated—mostly his distracted times were when he has expected her home, and she has not come home till the middle of the night—he has been waiting, expecting her to come home, and when she did not come home he would go out and get drunk—he appeared to me to be rendered very unhappy by her conduct—they were both given to habits of drinking—I have seen her in a state of intoxication many times—I have seen her strike him when in that state, and my brother came one day and told me she had attempted to cut her throat—I had never seen her do so—when she has struck him he has *most* times borne it patiently—he used to say she could not hurt him—he was a man who, when he was ill, would never say he was ill.

Q. Do you know of his ever having fits, falling fits? *A.* The deceased told me that he had one fit, I saw him in one—the doctor said it was a fit of apoplexy, at one time, and he bled him—that was when I lived with them, I should think five years ago—that was not when he fell on the fender, that is many years ago—I do not know whether that was from a fit—I cannot say how long ago that is, but I should think it is fourteen years.

MR. BODKIN? *Q.* What is his trade? *A.* A hair-dresser—he attended to his trade down to the time of this unfortunate affair—he used to shave people, and dress and cut their hair.

JOHN LEES. I am a brick-maker, and live in Broad-yard, Lower-road, Islington—the prisoner is my brother—Sarah Bailey is my sister. Last Monday week I was engaged in removing some things of hers, to her house in York-street—between three and four o'clock in the afternoon, I was in the back-parlour of her house with my brother-in-law, Benjamin Bailey—the prisoner came in, took Bailey by the hand, kissed him, and said he was a murderer—he did not say of whom—he said nothing more than I have said—he produced a rope from his pocket, but said nothing, and he produced the key of his door to his sister—he lived in Lower Chapman-street—he did not say what he produced the key for—we then accompanied him to the coach-stand in St. Luke's, and went in a coach to Chapman-street, with my wife and sister—he wished us to go with him—the coach stopped before we came to his house, in a street in Chapman-

street—I cannot say who paid for the coach—I know the Chapman's Arms public-house, kept by Pedder—the prisoner and I went into the Chapman's Arms public-house, and the women went over to the green-grocer's—the Chapman's Arms is not far from the prisoner's house—the prisoner called for a pint of half-and-half and a pipe of tobacco, and I had a pipe—I did not believe what he had said, that he was a murderer—he was not sober then—he appeared drunk when he came to me—I did not rely on what he said—he and his wife were both in the habit of drinking, and when drunk were very quarrelsome and very passionate—I cannot say how long we staid at the public-house—it was not half-an-hour—I did not smoke my pipe out before we went away—I do not recollect whether I saw Kaines—after being in the public-house a short time, the prisoner took the half-and-half into the tap-room or parlour, I do not know which, and I went out to see for my wife and sister—they were over at the green-grocer's—I did not hear any conversation with any body in the public-house—I do not recollect whether Kaines was there—when I went to the green-grocer's I left the prisoner in the Chapman's Arms—I went with my wife and sister towards the prisoner's house—my sister had the key—she tried to open the door, but could not, and I unlocked it—we all went in but my wife—she came in in a few minutes, but could not stay, and went back again—this was between four and five o'clock—it was the shop-door I opened—the shop was dark—when the door was opened my sister felt about—I do not remember her saying any thing—I could not discern any portion of the body of the deceased, it was too dark—the prisoner fetched a light—he had not come to us from the public-house—when we came from the green-shop he was coming out of the door, and we went down together—he went to fetch a light, and returned with one—when he brought the light, I discovered his wife lying on the floor of the shop, dead—I was agitated, and did not take particular notice of the body.

Cross-examined. *Q.* When he said he was a murderer, you did not at all believe him? *A.* No—I am his own brother—I did not consider him a man at all likely to commit such a crime—he appeared very much distracted—he is no better than a madman when he has been drinking—he appeared to have been drinking—when I discovered the body of his wife, I told him, if he had done it, to resign himself, not knowing who had done it.

Q. Did he say any thing on that? *A.* He began to sing and whistle—I was only absent from him a few minutes when I left him at the public-house—when I went there again, I saw him coming out, and he went with me towards his own house—I have not seen him and his wife much together—she was given to habits of drinking—they were both given to it—I never knew that she kept bad hours—all I have stated is true, and I cannot say any more.

GEORGE FRANCIS KAINES. I am a book-binder, and live in Lower Chapman-street, St. George's-in-the-east—I am no relation to the family. On the Monday afternoon in question I was at the Chapman's Arms public-house, about five o'clock—I saw the prisoner there—I knew him before—he came in with his brother, the last witness, while I was standing there—he accosted me by name, and asked me either to give him some tobacco, or had I got any tobacco—I said I had not, but I would fetch him some—I was receiving some money at the house—it is a corner house—the prisoner passed me, and was about to go out at the other door—he

had come in at one, and was going out at the other—this was not a minute after he spoke to me about the tobacco—his brother caught hold of him by both collars of his coat, and said, "Bill, you shall not go, you are a murderer, you have murdered your wife," and his brother said the Almighty required him for something—but the rest of the sentence I lost—the prisoner said nothing to that—I looked at him, and saw he was very agitated, and very pale—he must have heard what his brother said—when I looked at him, I noticed some blood on his shirt collar, and one of his hands was covered with blood—I cannot remember which hand, as I did not notice—it was not spots of blood on his shirt-collar, but as if it was a smear with the thumb, or something—when the brother took hold of him by the collar, I asked the brother if it was so—he seemed agitated, and said it was, and that his wife laid dead on the floor of the shop—he said that in the hearing of the prisoner—the brother appeared very much agitated—the landlord of the house was about to send one of his sons for an officer, and I intimated to him, by a nod of the head, that I would fetch one—I went immediately to the prisoner's house, and found two females standing on the step of the door, crying—I believe it was the two witnesses—the door was shut at that time—I brought a policeman to the public-house, and when I got there the prisoner and his brother were gone—the landlord gave me some information, in consequence of which I went after the prisoner, towards his own house—I passed through the Rein Deer public-house in Richard-street, into James-street, and found the prisoner towards the Commercial-road end of the street, walking in a direction to the Commercial-road, which is in a direction from his own house—there was no one with him—I and the policeman went up to him—I said to him, "Where are you going?"—he said, "I am going up here"—I said, "Come along with me"—he turned round to come with me, and the policeman laid hold of him—he said he did not want any policeman, he would not go with a policeman—I said, "Come with me, you and I will walk together," and him and me walked arm-in-arm to the station-house, the policeman sometimes behind, and sometimes by the side of us—he went with me quietly to the station-house after that conversation—after he was searched, I went back to his house, and saw the body of the deceased lying on the floor, close to the back door, with her head to the fire-place, quite dead, and appeared to have been dead some hours, two hours, I might say, for she was quite cold—the inspector was there before me—I was not acquainted with the deceased.

Cross-examined. *Q.* Had you known the prisoner some years? *A.* Yes—I should say six or seven years, being in the neighbourhood—I never heard of his being subject to fits—he was given to drink occasionally—he did not appear exactly sober on this day, but he was not so bad as I have often seen him—he seemed quite calm, except the excitement from drink—he appeared excited from drink—he did not make the least resistance to coming with me—I was present when he was first taken before the Magistrate—he was taken very ill there in a kind of fit, and was bled very copiously by a surgeon—that was on the Tuesday.

JOHN LEES *re-examined.* *Q.* After you discovered the dead body of the prisoner's wife, did you go again into the Chapman's Arms public-house, to your recollection? *A.* I was agitated, and do not know what I did or said—I was sober—I had not had any thing to drink.

SARAH LEES. I am the prisoner's sister-in-law. I was at the house of my

sister-in-law, Sarah Bailey, on Monday, the 18th—I was up stairs when the prisoner came there—I came down shortly afterwards, and saw him—I cannot say the words he said, I was so agitated—he said he was a murderer, but did not say who he had murdered—I accompanied him and my husband and sister-in-law to his house—we all went out together—we were not able to go in at first—my sister went in, but I stood at the door.

Cross-examined. *Q.* Had you known his wife long? *A.* Yes, from a child—I know they were both given to drink, both quarrelsome, and both very passionate—she was in the habit of staying out late at night, against his will—I have seen him made very unhappy by her doing so.

Q. Have you seen him do, or attempt to do, any thing to himself when he has been acquainted with her conduct? *A.* I have not been acquainted with him to be much with him.

MR. CLARKSON. *Q.* Had you seen any thing of the deceased on the 18th of November, before you saw her dead? *A.* No.

JOHN LEES *re-examined.* *Q.* Try and recollect what took place after you had been in the house—do you recollect going to the Rein Deer public-house? *A.* Yes, the prisoner went there with me—he went out, and I followed him into the Rein Deer—he called for a quartern of gin—I do not know whether he drank any—I did not, and do not think he had any—he went into the back garden of the Rein Deer—I followed him—he afterwards went into the Chapman's Arms public-house—I do not know who was there, nor what I said or did.

Q. Did you say, in the presence of your brother, what had been done? *A.* I do not know what I did say, I was so agitated—I do not recollect my brother saying any thing to me about the state I was in—we had a *scrummage* together in the Chapman's Arms—I do not know whether he struck me or not—I believe the landlord parted us—he then went out of the Chapman's Arms, and I stopped in, and did not see him any more till he was in custody of the policeman—when I discovered the dead body of his wife I saw a rope hanging to the ceiling—there was a hook in the beam of the ceiling—I saw the policeman take the rope down, and think there was a noose at the lower end of it—I cannot recollect whether any thing was said in the prisoner's presence about that rope.

ROBERT TAYLOR (*police-sergeant H* 19.) I was at the station-house on the Monday evening, and remember the prisoner coming there with Kaines, and Cook, a policeman—Kaines said, in his presence, that he had murdered his wife—the prisoner did not say any thing at that time—I did not ask any questions then—I afterwards laid hold of his hand, and turned up his sleeve—the constable pointed out some blood on his shirt-collar, on the right-hand side—I asked if he had cut his head—that was the first blood I saw—he said he had not hurt his head at all—the blood on his shirt-collar appeared quite fresh—I also observed blood on three fingers of his left hand, and a cut on the little-finger joint—the blood was on the edge of the fingers, and there was a spot of blood just on the bend of the hand—I should say the blood had not come from that wound on the little-finger joint, the cut was not sufficient—the blood had dried on his hand—I examined his right hand—there was nothing on that—I found no wound about his person, but the cut on his finger—I asked him how his finger came hurt—he said, he had fallen out of a *cab* on the Thursday previous, near St. Luke's Hospital—it appeared to have been recently done—he then

pulled off his coat, and said, "I will show you"—he turned up his shirt-sleeve on the right arm, and there appeared to be an old hurt on the elbow—I said, "This is what you mean was done on the Thursday"—he said, "Yes"—I did not notice any blood on his dress at that time, but next morning I noticed, on the leg of his trowsers, a sort of small spot of congealed blood, rather streaked—I could not say whether that was recent—nothing was said between me and him about that—when he was brought to the station-house he appeared to have been drinking, and was very much excited—I did not know him before.

WILLIAM NORMAN. I am an inspector of the police. About half-past five o'clock on Monday afternoon I was at the station-house in Denmark-street, and, in consequence of information, I left the station-house to go to the prisoner's house—as I was going I met him in custody—when I got to the house I saw the deceased lying with her head towards the stairs, and her face towards the back-door—she was lying on her side—I observed her throat—it appeared to be cut, and I found a razor lying on her right-hand side, open—there is blood on it now, and it is very fresh now—I immediately sent for the surgeon—I looked round the room, and observed a piece of rope in the front part of the room—the end was tied to a bit of a staple, which goes into a beam across the ceiling, and a sort of noose, broken—the noose was about six feet from the ground—I could have stood under it without touching it—there were a couple of chairs in the shop, I think—I cannot say whether they were near to the rope, because the people were all there when I got there—I have another rope, but I know nothing of that, only the Coroner's Jury wished me to take care of it—it is a new rope, and does not appear at all connected with the one first produced—one is new, and the other old—the new rope was produced before the Coroner—I took down the rope I found hanging in the shop—the noose appears to be broken—Mr. Garrett came about ten minutes after I got there—the body was not moved till after he came.

COURT. *Q.* Did you observe a pool of blood near the body? *A.* I did, just where the head lay—I did not observe any marks of blood on the walls, or any where else in the room—the blood was not dry at the time I saw it—it was congealed—it would leave a mark if fingers were put into it—it was rather congealed, but it would mark a person's fingers if they came in contact with it.

JOHN LEES *re-examined.* *Q.* When the prisoner came into your house did you see any thing of a rope? *A.* He produced a rope—I believe this is the rope (*the new one*)—he pulled it out of his pocket—he did not say what he was going to do with it—I did not take any notice how it was tied.

ELIZABETH FRASER. I am a widow. I lived next door to the prisoner and his wife, in Chapman-street—I knew them for a year and a half before this occurred—I saw the prisoner and the deceased on the Monday this happened, between nine and ten o'clock—they were passing my window, walking together—they appeared quite sober at that time—I did not see any thing more of her till I saw her dead—I saw the prisoner again, about three o'clock, or a little after, the same day, coming from his own door—he appeared to me to fasten his door—I had been told something about his wife being ill, and I said to him, "What is the matter with Mrs. Lees?"—he said she was very ill, that she had taken some strong acid; I think he said strong acid—I repeated the question, and he said strong acid the

second time—I said, "How have you left her?"—he said, "Somethir better, I am going in quest of a neighbour to sit up with her"—I had r more conversation with him, he went away from his house—he did n appear exactly sober—before I spoke to him, I saw he had a key—he a peared to me to take it from his door—I thought he put it in his righ hand pocket—I saw no more of him till he was in custody—there is cupboard in my front parlour, next to his shop, the door of which generall stands open—when that door is open I can distinctly hear what passes i his shop if I pay attention—that door was open just before I saw hi leave his house—I had heard a sort of rumbling noise in his shop, betwee two and three o'clock—it was a heavy kind of a noise, but I keep a schoo and the children being present, I could not exactly say what it was—I did n hear any screams—the conversation between me and him lasted a very sho time—he appeared to be in a great hurry to get to the person he spoke —he was with me a minute and a half or two minutes—when he turne his back, I noticed that his coat was rather dusty, but not particularly, suc dust as I should imagine came from a wall—I do not know the colour of t wall of his shop—the dust appeared a dirty sort of a colour, as if his bac had been rubbed against a wall that was old—I saw Mr. Garrett, the su geon, go into the prisoner's house before three o'clock—I thought the noi I heard was about half-past two o'clock, but I saw Mr. Garrett previous that—I cannot say exactly how long before, it might be twenty minut —I did not see him come out again.

Cross-examined. *Q.* Do you know who had caused Mr. Garrett to g there—had you seen the prisoner shortly before that? *A.* No—I did n observe whether there was any mark of blood about the prisoner's pers when he was talking to me—he was generally a very quiet inoffensive ma and he appeared very partial to his wife indeed—I had frequently see them together—she indulged in drink very much, and her conduct was ve violent to him when in liquor—I never saw him return it—he bore very patiently—I know she absented herself at late hours of a night, and have seen him very much hurt and excited at it—he expressed his regr very much at her absence—he appeared very much affected in his min at her absence—he said he should be a very happy man if sh studied his domestic happiness—he was the worse for liquor when I h the conversation with him on the day in question—there was nothing el which attracted my attention at that time.

MR. CLARKSON. *Q.* You have said she was given to drink, was given to drink too? *A.* He was—they were frequently together liquor, but he was very quiet when so—I never saw him otherwi —the last time I saw her violent was some time back, I cannot exact say how long—it was in the very warm weather, at the time she was a sent from him, about six months ago—I cannot exactly say how long s was absent—he says it was two or three weeks—I do not know of h being absent, except from what he told me—I do not know of any violen of hers, except from what he told me, nor of any excitement or grief of his her absence, except from what he told me—I had not any opportunity seeing whether she was a nervous woman—she was of a courageous di position, I should say, because I have heard her say he should never co quer her—that was when she left him in the summer-time—she did n come to me before she went away—she came to me before she came ba to live with him, during the time of her absence—it was very shortly b

fore she returned—I did not know of her going away before she went—I did not know from the prisoner where she went to—they had no children, that I know of.

THOMAS CLARK. I am a hair-dresser, and live in John's-row, St. Luke's. I know the prisoner—he came to me between a quarter-past three and four o'clock, on the afternoon in question—my house is, I should say, about two miles from his—it would take about three quarters of an hour to walk—when he came into the shop, my wife stood there, and by his terrible state of mind, she seemed alarmed by him—she called out, "Clark, Clark," three or four times—I ran directly from the back room to the shop, and I could see him through a window—he held out his hand—I think it was the right, but I do not rightly recollect—I ran and laid hold of his hand, thinking he meant to shake hands, and said, "*Bill*, what is the matter?"—all he could do, was to shake his head—I could not get a word out of him—not till he shed a few tears—he then unbuttoned his coat, and told me to take the "Dispatch" out of his breast coat-pocket—I put my hand into his coat-pocket, and said, "*Bill*, I can't find the 'Dispatch,'" and I pulled out a rope—it might be like this new rope, but it is now undone—it was new rope, coiled up, and tied round as it would be when it was bought—I threw it on one side—I thought he meant the "Dispatch" newspaper—he said, "Give me that handkerchief, *Tom*, which you took out of my pocket"—I really cannot say for certain whether he was drunk or sober—I should think he had been drinking a little—when he said, "Give me the handkerchief," I said I had not taken one—he said, "*Tom*, you have"—I said, "*Bill*, I have not"—he said, "Never mind, give me up your apron, or lend me your apron," I do not know which—I gave him my apron up, and he wiped his eyes—I threw the rope on one side, because I was alarmed for his safety—I thought he meant to hang himself—he held out his hand, and said, "Good bye, *Tom*, I am going to my mother"—I had thrown the rope on the window-board—he saw it, and would have it back again, and I gave it to him—he went away with it—I felt alarmed for his safety, and sent my wife to follow him to see if he went to his sister's where his mother lives—it is about one hundred yards from my house—I never saw him in such a state before—I had seen him tipsy before, but never in such a state of mind.

COURT. *Q.* Did you see any blood on his shirt or hand? *A.* I did not—I did not take sufficient notice of him—I cannot say whether there was any or not—I had enough to do to see his countenance—my impression was that he was deranged, from his appearance, conduct, and conversation.

THOMAS BOOTH STOW. I am a coal-merchant, and live in Cannon-street-road. I am not related to the prisoner—I know the Golden Lion public-house—it is about two hundred yards from the prisoner's house—I saw the prisoner there on the Monday this happened—to the best of my recollection, it was between two and three o'clock—I speak from memory—it was after my dinner—I think it was nearer to three o'clock than two—I cannot say whether it was before or after three o'clock—there was a man named Staples there, in conversation with the prisoner—we were in front of the bar, standing there—we all three came in together—the prisoner had come to Staple's shop where I was, about a minute before I went to the Golden Lion public-house—we went there to get some drink—the prisoner proposed it—he appeared a little intoxicated when he came

to the shop at first—when we got to the public-house he said his old woman was dead—Staples said, "Nonsense, *Bill*"—he said, "So help me, G—, she is dead, I am sorry for her, she was a good one"—he wished Staples to go and see her, and he said, "Who do you think is with her? Rhoda Hall"—Staples did not go, or make any observation—we came away directly—the prisoner said she had died of *delirium tremens*—he had been to Dr. Cordy and Dr. Garrett, and they were going to make a *post-mortem* examination of her—nothing more passed, to the best of my knowledge—he left to go to his own home, and we left to go to the shop—I had seen him at other times, after he had taken a little drink—I did not observe any thing different in his manner on former occasions when he had been drinking, to what I observed on this.

Cross-examined. *Q.* Have you frequently seen him when he appeared to have taken liquor? *A.* Yes—I believe it produced a considerable effect upon him generally, in his manner and language.

RHODA HALL. I keep a green-grocer's shop at No. 9, Lower Chapman-street, St. George's East. I knew the deceased—she was twenty-eight or twenty-nine years of age—she was very hasty at times, and passionate—I knew her and her husband nearly seven years—she was in the habit of drinking sometimes, and he also—I saw her alive in his house on this Monday from about a quarter before two till about half-past two o'clock—she was up stairs in the first floor sitting-room—(the house is only one story, two rooms up stairs and one down)—she was ill, apparently getting out of an hysterical fit or a fainting fit—as far as I know she was sober—Mr. Lees had sent a boy for me to come to her—I did not at that time find any wounds or bruises, or any blood about her—I passed through the shop to go to the room she was in—I did not observe any rope in the shop—I did not look at the ceiling—I went quickly through the room, and did not look—the prisoner was in the lower room when I went—he appeared to be kind and attentive to her at that time—I conversed with her in his presence—she cried, and then seemed better after—the prisoner came up stairs while I was there, and asked her if she was better—she said, "Yes"—he asked her whether she would go to bed—she appeared quite in her senses, and was very quiet—I asked her if I could get her any thing, and if she would take a little broth—she said she thought she could—I offered to go for it—I asked her whether Mr. Lees had ill-used her—she said, "No"—I asked if they had been quarrelling—she shook her head—when I first went into the house the prisoner told me to go up stairs to Betty, he did not know what was the matter with her, he thought she was dying—that was the first remark he made to me when I went in—he was standing against the fire-place in the shop—when I went up stairs I found her lying on the floor, with a gown laid on the floor underneath her—she had a gown on besides—after I went up he followed me, and got a pillow to put her head on—he went away while I remained up stairs, and left the house—I saw Mr. Garrett the doctor a few minutes after—I opened the door to him—she was better before Mr. Garrett came, and she walked down stairs into the shop—I did not observe any rope in the shop when I came down—I remained in the shop some minutes with her and Mr. Garrett—he felt her pulse, and asked her questions which she answered quite rationally and calm—I went away leaving Mr. Garrett there, but before I went away I opened the door to Mr. Cordy, another medical gentleman—he brought some medicine—I left while Mr. Cordy and Mr. Garrett were speaking together about the medicine, and never saw her alive afterwards—

if there had been a rope hanging in the shop I think I must have seen it—the shop shutters were open at that time, but there was a high linen blind which was blue, but was faded—that was always there—I did not see the prisoner again till I saw him in custody—I think he had been drinking when I saw him at the house.

Cross-examined. *Q.* Is the blind always there? *A.* Yes, I believe it is nailed up—I should think it was about a quarter to two o'clock when the boy came for me, for when the bell was ringing two, Mrs. Lees observed to me that it was two o'clock—I left her, I think, near half-past two o'clock, leaving Mr. Garrett there.

Q. Was there any spirits introduced while you were there? *A.* There was a little in a glass, and a little in a bottle standing there—she drank a little of it once only, and I drank a little, and the prisoner drank a little, all out of one small glass—there was about one-third of a quartern altogether there.

Mr. Clarkson. *Q.* Was any quantity taken by her enough to disorder her intellect? *A.* No—the prisoner offered it to me first—I took a little, and he offered it to her—she took a little and said, "I have left you part of it"—he took the rest—he seemed very kind while I was there.

Henry Berrecloth. I was at the Golden Lion public-house, in Cannon-street-road, on the Monday in question, and saw the prisoner there with Stow and Staples in conversation together—it was from half-past two to half-past three o'clock, as near as I can guess—I cannot speak nearer than that.

William Cook. I am a policeman. I was stopped by Kaines—I went with him, and took the prisoner in custody to the station-house.

Mark Brown Garrett. I am a surgeon, and live at No. 3, New-road, St. George's in the East—I knew the deceased—I saw her for the first time on Monday afternoon, the 18th of November—about ten minutes after two o'clock I received a message to go to the house—I got there about a quarter past two o'clock—I was detained some time knocking at the door before I could get in—Hall let me in, and the deceased came down from up stairs—I found her in a nervous condition, and after a little conversation with her, she had two distinct hysterical attacks—as if she had been excited—she was perfectly rational and decidedly sober—she continued under each attack from two to three or four minutes—women are much subject to hysterics—it will arise from any exciting cause—either violence in the conduct of the person attacked, or from violence or quarrelling of any body else—she soon recovered—while I was there Mr. Cordy's brother brought some medicine—the latter part of my conversation with the deceased was with regard to a pain she felt in her back—the prisoner was not present—she assigned a cause for that pain—I inquired of the gentleman who brought the medicine, the composition of it, by her desire—it was an effervescing mixture, a draught calculated to quiet her and tranquillize the system—in my judgment, she did not require any thing else—there was nothing at all in her conduct or in her answers to my questions which denoted to me that it was unsafe to leave her by herself, nor any thing to denote that she was not perfectly self-possessed—she came down to me in the shop—I was in the shop ten minutes or a quarter of an hour—if there had been a cord suspended to a beam there I should have observed it—I did not observe it—I had opportunities of observing, being by myself some time—the place the cord hung from was afterwards pointed out to me by the offi-

cers, and I should say it could not have escaped my attention—the prisoner came in while I was there—I knew him before—I knew his person—he had been drinking—I observed no excitement about him beyond what might be the result of taking drink—when I came away I left the prisoner, the deceased, and Mr. Cordy's brother in the shop—the prisoner did not administer any medicine to her in my presence—I think he went to fetch a cup for her to take it in—I was remunerated for my attendance by the deceased, in the prisoner's presence—the prisoner was present when she desired me to examine the medicine—her object was, as I had been questioning her as to her symptoms, and knew more of her state than the gentleman who had not seen her before, she wished me to ascertain whether it was proper for her to take—she appeared to be alive to the propriety of taking care of herself—she was particular about my examining the medicine—after I got home, I received another message from the inspector of police, at half-past five o'clock—I proceeded immediately to the house—I found a great many persons outside the house, and in the room besides—I saw inspector Norman there—I saw the body of the deceased between the foot of the stairs and the door leading into the yard—she was with her face fronting the door—her knees were drawn up, the left arm under her body, and the right lying on the body—on examining the head and face I found a considerable number of wounds, they were on the face and neck and head—there were eight in number, and with one exception they all partook of the character of incised wounds—that one was rather a stab, a puncture, a contusion—it was not exactly a bruise—the largest, the deepest, and most important of the incised wounds was on the left side of the neck—that incision measured four inches at least in length and two inches in depth, but not all the way, more in the centre of the wound—in that incision all the principal and main arteries of the left side of the neck with the veins and nerves were totally divided—the windpipe was severed through, with the exception of a small portion at the posterior part—in my judgment it was a mortal wound, and death would ensue in a very short time—a querter of an hour, perhaps, or twenty minutes—the arteries on the right side would have carried on the functions of life for a short time—she was a slight spare woman—immediately above this large wound was another, as if there had beeen a previous attempt—it was parallel with it and merely dividing the skin, merely superficial, and of no importance at all—the next wound of importance was on the lower lip—in that incision the upper part of the lower lip was divided through—the wound took a curved direction to the left—it went right through the upper part of the lip, and was to the extent of two inches and a half—there would have been considerable hemorrhage from it, and it divided important arteries—it was a deep wound—the next was on the right side, opposite the other, on the same lip—it divided the skin and a portion of the lip and took a straight direction—that was not mortal—the fifth was on the right side above the lip on the cheek—that incision was merely cutaneous—the sixth incised wound was opposite the right eye—that incision extended through the skin and some considerable portion of the muscles and flesh, and took a straight direction—it was about an inch and a half or two inches in length, and about half an inch in depth—the seventh was behind the right ear—it was a short but deep incised wound—it extended to the bone, which is rather prominent just there—I should say it was half an inch deep, that I also consider an incised wound—the eighth was on the right cheek, that was deep and partook of the character

of a punctured wound—it was far different to the others, and in the infliction of which there must have been some considerable force used—it went to the bone—it slanted off a little at the side of the bone—it did not penetrate into the mouth.

Q. Look at the instrument which lies before you; with regard to the first wound you speak of, is that razor such an instrument as would have inflicted such a wound? *A.* Decidedly so; the other wounds about the left cheek, the lower lip, and the back of the ear, might also have been inflicted by such an instrument, and on reflection, I have thought that the wound on the right cheek would correspond with this part of the razor—(*pointing it out*)—I understand what is called *jobbing* with a knife—that wound was not done with a *job* of a sharp instrument, but I think it must have been done with the upper part of the razor, from its appearance, and the direction it took—I do not think it could be done with the heel of the razor—the wound was not of that shape.

Q. In your judgment could those wounds be inflicted on the deceased by herself? *A.* Decidedly not—according to my judgment the large wound commenced at the back part of the left side of the neck—the body was lying on its left side.

Q. What is your reason for saying the wounds could not have been inflicted by the deceased herself? *A.* Judging from the position of the deceased, lying on her left side, with her left arm under her body, corresponding to the wound in the throat, with an immense quantity of blood on the floor, the manner in which the razor was found, and knowing her previous constitution, and after the infliction of those wounds on the face, in my opinion it would be impossible to inflict that on the throat—assuming that the wounds on the other part of the face had been first inflicted, I consider it impossible she could inflict that large wound on the throat, they were of such a serious extent—she would not have power to inflict that on the throat—there would have been considerable hemorrhage from the one on the lip especially—assuming the wound in the throat to have been first inflicted, it would have been quite impossible for her to have inflicted the others—the blood would have been so great it would have immediately exhausted her.

Q. Looking at the nature of the wounds, the quantity of blood, and the position of the body, can you undertake to say with certainty whether or not those wounds must have been inflicted while she was on the ground? *A.* They were; especially the wound on the neck—supposing her to have inflicted the wounds on the other part of her person, and fallen from exhaustion, I should say it would be impossible that she could inflict the larger one when on the ground—the prisoner had not applied to me for a *post mortem* examination of his wife's body—there was no appearance of *delirium tremens* about her on my first visit, nor any appearance afterwards which could account for it—I did not in any way give the prisoner to understand that she had died of *delirium tremens*, nor say any thing about it.

Q. Look at that old rope; supposing it to have been suspended in the shop, is it possible or probable that that rope would have given way with the prisoner's weight, supposing he had attempted to hang himself with it? *A.* If he had been suspended with all his weight on the rope, I should say it would have given way, but there is another mode of strangling by being on the ground—I should say if his weight was hanging on that rope, it

would have given way—I cannot say whether the same consequence would have taken place if the deceased had put herself in that rope.

Q. Regard being had to the state you found her in at a quarter-past two o'clock, was she a woman, in your judgment, who about three o'clock would have been able to make any successful resistance to an attack? *A.* She appeared quite incapable at my visit to her, for even in common conversation she had two hysterical attacks, but not knowing her general constitution, I cannot answer—I do not think she was in a state to have used sufficient violence to inflict the wound on the cheek, which must have been inflicted with violence.

Cross-examined. *Q.* With regard to the possibility of the wounds being self-inflicted, I observe, you hesitated before you gave your answer; did that arise from any doubt on the subject? *A.* Not at all—I certainly give it as my perfect conviction, that it would be impossible for her to inflict all the wounds herself—I consider it impossible a person could inflict wounds on the neck and face, from the nature of the wounds and their extent—after the seven on the face, it would be impossible to inflict the one on the neck, and after inflicting the one on the neck, it would be impossible to inflict the other seven.

Q. Supposing she had possessed herself of a razor, and was preparing to use it, either on herself or the prisoner, and a struggle to take place between them, he trying to get it out of her hands, in such a struggle, might those wounds have occurred? *A.* Not those about the face—I should say it was impossible they could have taken place incidentally in a struggle—my reason for saying it would be impossible to inflict the seven wounds after the one in the throat, or that one after the seven, is because there would not be sufficient strength—life might remain, but not strength to inflict a wound—when I saw her in the morning in hysterics I told her it was very slight, and I need not stay—it was then she mentioned the injury to her back—she said she would tell the truth, and mentioned how it happened—she told me she had jumped out of window the week before to avoid her husband—I do not think she said what time it was—I understood her to say it was to avoid her husband—she did not say he had tried to prevent her getting out—she said nothing more—the prisoner had been drinking—strong mental excitement will sometimes present an appearance in a person very much resembling intoxication, but I had another proof of intoxication, the *fetid* from his mouth—half a glass of gin would not have produced that, unless he was in the habit of taking spirits—in a person of intemperate habits that might appear if he had drank a small quantity—I heard that he and the deceased and Hall had taken a small quantity of spirits before I came.

MR. CLARKSON. *Q.* Could you gather from his speech, as well as other things, whether he had been drinking? *A.* He did not address me particularly—my impression decidedly was, that he had been drinking—the deceased told me that she had jumped out of the up-stairs window—it was at that time she said she would tell the truth.

COURT. *Q.* Did you observe any marks on the deceased's neck, as if there had been a rope round it? *A.* I did not.

MR. RYLAND *called*

MARY LEES. I am the prisoner's mother. I lived with him for about four years after his marriage, and I have been frequently to and fro to their house since, nearly down to the time of his wife's death, about two months

before it—she was given to getting drunk, and he also, latterly—both drank very hard, and were very passionate and very aggravating—I have known her go away from her home—I remember one Sunday morning he expected her home on Saturday night, she did not come home, and he went out, I think, and got drinking—on Sunday morning he came home tipsy, and asked where Betty was—I endeavoured to tell him she would be home presently—his sister and I persuaded him to go to bed, and after that his sister went out to go to church—I was in the adjoining room, and thought I heard a noise down stairs—I went into the room where I had left him on the bed, and he was gone—I went down stairs, and he was sitting in the corner of the shop—he cut his forehead with a rusty knife—we had put every thing away, because when in that state he used to attempt to lay violent hands on himself—he attempted to lay violent hands on himself on that occasion—I had put every thing away, fearing he would do so.

Court. *Q.* Were you in the habit of doing that when he was drunk or sober? *A.* When he was drunk.

Mr. Ryland. *Q.* Do you remember his having a hammer in his hand on one occasion? *A.* Yes—he was drunk then, and his wife was away from him at that time—she was in the habit of going home to her mother's of a Saturday, and sometimes did not come home till twelve or one o'clock, and then came home very disorderly—sometimes she would stop out all night or two nights together, and he was distracted the whole time—after we got all the edged-tools away he got hold of the hammer to dash his brains out—I took hold of his arm, and he dropped the hammer and sat down—I cannot tell how lately I had seen him before the 18th—they behaved very kind to each other when they were sober, and when drunk altogether so passionate.

Mr. Clarkson. *Q.* How long has your son been given to drinking? *A.* From about eighteen or twenty years old—he was led into gay company, was led from one step to another, and he has had many cuts and blows on his head—he was married in 1835—he is 33 now—I did not see him cut his forehead with the rusty knife—it was done when I went down—I took a cloth and washed it—the blood ran down his face—I did not see whether the knife was bloody—I saw the knife, but did not notice whether there was blood on it—I did not send for any doctor—I washed his head, bound it up, and persuaded him to go to bed again—the bandage remained on his head the whole of that day, and the next—I think this was about two years ago—that is the nearest I can tell—I know his forehead was cut, because it was bleeding, and he had got the knife in his hand—he kept the shop where he lives now—he did not shave people for nearly a fortnight sometimes—he was not able—when he was able he shaved people as before—he shaved people three or four days after he cut his head—the occurrence about the hammer was not long after that—that was at his own house—my daughter, Mrs. Bailey, was not living with me at the time—he was going to strike himself on the head with the hammer—he lifted it up to his head, and I pulled it down—that was not on a Sunday—I do not know whether he shaved any body that day—I did not put him into confinement, nor apply to any body to confine him—when he was not drunk he could attend to his business as usual—the last time I saw his wife was about a month before I heard of her death—she had not jumped out of window at that time that I know of—I did not live with her—I never heard of that before—this is the first time I have heard of it.

Q. When will you undertake to say you last saw his wife drunk? *A.* I have not lived with them to see, not these three years—I cannot recollect when I last saw her drunk, or in a violent passion—I have seen her frequently, but cannot recollect the time—she was a very slight, thin woman.

Q. When you say she went away from him, did not she go to her mother's? *A.* Yes—I have been there to inquire for her, but not lately, it was about a year and a half ago—I used to live at Dalston—I do not know whether she gave her husband's ill-treatment as a reason for staying away.

ELEANOR M'KENZIE. I am single, and live in Virginia-court, near the prisoner's house. I remember the day the prisoner's wife was found dead—I was passing their house at a quarter after one o'clock that day, and saw the prisoner and his wife—the prisoner was standing by the door, and the deceased inside—he said, "Eleanor, *Betty* is mad"—I said, "Is she? she is often mad"—she might be about two yards off, and must have heard it—she came and caught him by the collar, and hit him several times on the head—he did not return the blows, but went in—I have known them some time—his general conduct towards his wife has been very well indeed.

MR. CLARKSON. *Q.* When he was outside the door, had he his hat on? *A.* Yes—she hit him with her doubled fist on the side of his head—it did not knock off his hat, or produce any blood—it did not do him any injury that I know of—I cannot say what she did it for, but the moment he repeated the words, she flew across the floor, and immediately struck at him—he was standing on the step of the door—there was nobody with me, nobody was by but me that I noticed—I did not attend before the Coroner—I knew of the inquest—it was held at the Golden Lion public-house, Cannon-street-road, not many yards from my house—I did not see the deceased jump out of window—I heard of it a day or two after—the prisoner was in liquor when I saw him standing at the door, and the deceased was also in liquor—it was at a quarter past one o'clock—I have seen her *drunker* than she was then, but she was three parts drunk—she was so drunk that I noticed it—I could see it by her coming across the floor—she did not stagger as she came across—she came across very quick.

Q. Did she speak like a drunken woman? *A.* I did not distinctly hear what she said—she hesitated in her speech a little, as if she was in drink—I noticed that at the time.

Q. What is your business? *A.* A waistcoat and jacket-maker—I am not married, I live with my mother—I have seen the deceased more in drink than she was that morning, but I noticed, the moment I saw her, that she was intoxicated—I found that out by her appearance—her hair was hanging down her shoulders, and she looked to me in liquor—her clothes were not dirty—her hair was in curls, and they were all dishevelled—she appeared quite wild and frantic—I live about eighteen yards from their house, but our house lies at the back—I have sometimes heard noises there.

Q. When were you first told to come here as a witness? *A.* On Wednesday—Mr. Bailey told me to come, and I believe a minister—that was the first I heard about it—I did not state what I had seen till then—I might have mentioned it—I mentioned it to my mother and sister when I came home, after seeing it, and I believe they are the only persons—they are not here.

Q. How did Mr. Bailey and the minister hear you knew any thing

about it? *A.* They were sent to, I believe, to be informed—I was not close enough to the deceased to smell her, nor to the prisoner, but I could see they were both in liquor—I have often seen them in liquor—sometimes they would be sober for a month, and sometimes drunk for two or three days or a week, or more—she was always drunk when he was—they were always drunk together—he was a very quiet-tempered man when he was drunk, not at all passionate—she was very violent—he bore it all meekly, and did not get in a passion at all—sometimes at the last he would, but not without occasion—she was a strong powerful woman, not a slight thin woman—she was slim, but I believe she was strong, by her appearance—she looked like a strong woman.

Q. How often did they get drunk? *A.* Ever since they came into the neighbourhood we have noticed them, but for the last three years we have been acquainted with them—I do not visit the prisoner's mother, or Mr. and Mrs. Bailey—I visited the deceased sometimes—she never complained to me of the pain in her back—I did not see her after she jumped out of window, not till that morning—I did not attempt to pacify her—I certainly know that she was in the habit of being violent and striking him—I did not like to interfere, and walked on—she did not say any thing to him that I heard—if she had I must have heard it.

Thomas Jealous. I am a carpenter, and live in James-street, which is near the prisoner's house. I have known him and his wife about seven years—I have seen them together a good deal—when he was sober and steady he was always very comfortable with her—he tried all he could to make her comfortable—as far as laid in his power he did for her—I have seen him the worse for liquor—she was very much given to drink—she used to ill-use him very much when she was intoxicated—I have seen her ill-use him—he never returned it—I remember the day she was found dead—I passed their house that morning, about twenty minutes or half-past one o'clock, as I was going home to dinner—I went inside the door, just on the step, as the prisoner called me in—the prisoner and his wife were in the shop—he asked me if I would fetch her sister—he did not say what it was for—it was merely in a joke, as I understood—I said, "You don't want your wife's sister"—he asked me to come in, I said I should not, and his wife said, "If you stand aggravating me I will throw something at you, and smash your brains out;" and made use of a very bad expression at the time.

Q. Was he aggravating her? *A.* In joke, but they had both been drinking, I am certain.

Mr. Clarkson. *Q.* Did you see inside the shop? *A.* I did—I did not see any rope hanging up—she was not very drunk—she was intoxicated—he was very drunk—I am certain that she was drunk—knowing them so well, I could tell from her appearance and the way she spoke to me—she said, "Jealous, never mind what he says; he is always aggravating me" if the door was closed, I could tell by her voice whether she was intoxicated or not, I could tell from her voice and the way she spoke—she could not speak plain—she stammered—I could not see whether she staggered, for she stood by the bottom stair, and was holding by the hand-rail—she had neither bonnet nor cap on—nothing but a comb—she had a hind comb, which secured her hair—her hair was not at all hanging down her shoulders—I believe I was first told on Thursday that I was to come here as a witness—I cannot say exactly who told me—I do not know that any body told me particularly—Mr. Cracknell was the first that spoke to me

—he is in the coke trade—I believe Mr. Watson took down my evidence yesterday morning—that was the first time I gave my evidence—I was not before the Coroner—I live close to the Red Lion public-house, where the inquest was.

JOHN CURTINDALE. I am a baker. I live next door to the house the prisoner occupied, and am his landlord—I have known him and his wife seven years last September—I have seen them together a good deal at times—his general conduct to her was very good, when sober—they were both given to drink—she was very aggravating when they used to come home—I have frequently heard him accuse her of being in bed with other men and a good deal of conversation—there is a very thin partition between our two houses.

MR. CLARKSON. *Q.* When were you told to come here as a witness? *A.* Two or three days ago, about Tuesday I think—his friend Mr. Bailey came and his relations—it is about eighteen months or two years ago that I heard him charge her with being with other men—I have heard it more than once, but that was the last time—they were a loving couple when sober, and when one was drunk, the other was drunk—they both went out together, and got drunk—she was a slight made, thin woman—not strong and powerful, but she was always the master of him when they quarrelled—I have been told so by the neighbours—his mother has been in and said she could not live with them any longer, they were so quarrelsome and used such aggravating terms, and I have heard it from her own tongue.

Q. Now, within the last six months what have you heard her aggravating him about? *A.* I cannot call to mind—I remember her jumping out of window—I heard her fall—I did not go to her assistance—I went to the prisoner—she ran down the street—the prisoner appeared drunk—that was four days before the murder—they broke the partition between the yards, and I went in to speak to them about it.

Q. Did not she on that occasion complain that it was the cruelty of her husband which made her jump out? *A.* I did not see her then—I saw her afterwards—I did not have any conversation with her about jumping out of the window—I went in about having my yard mended, and the prisoner was breaking the shop windows—when they were drunk they were both violent.

MR. RYLAND. *Q.* Before you heard her fall out, had you heard anything going on? *A.* No—several people were looking at the house—it was a long time before she did jump out—she stood on the sill of the window some time first—I did not see the prisoner at that time—he was inside.

GEORGE PEDDER. I live in the prisoner's neighbourhood—I have known him and his wife three or four years—I frequently saw them together—his general conduct to her was very kind.

MR. CLARKSON. *Q.* You are landlord of the Chapman's Arms public-house? *A.* Yes—I was at home on the Monday in question—I saw the prisoner at my house after five o'clock that afternoon when Kaines was there—his brother was with him—he called for a pint of half-and-half and two pipes of tobacco—I knew him very well, and knew he was in the habit of drinking hard at times—he was not quite sober when he called for the beer—he had been drinking—I did not give him the beer—he called for it, but did not drink it—he gave it away—I did not serve him—I did not see it given to him, nor see him with it—my son served him with it—I saw him with the tobacco—he went out of my house—he did not sit down in the parlour,

or in the tap room to my knowledge—he had the beer at the bar- ave it away to a man named Forster—I saw him go out of the bar did not see him endeavour to escape—I do not think he went out at ame door as he came in at—I saw his brother with him, and he told he was a murderer, in my presence, and he must give himself up—the oner did not try to run away—he attempted to strike his brother—I lieve his brother was sober—I had not seen the deceased that day— rother and he did not go away together—the prisoner went first—he w y himself—his hat came off at the bar—I went to put it on his head, id, "Lees, come with me," and said to his brother, "This can't ossibly true"—I went out with the prisoner, that he should not strike rother—I said to Kaines, "If this is true he ought to be secured, look f oliceman"—I let him go out—I did not keep him—I had no one at ar—my son had gone out of the bar, and I was obliged to remain.

MR. RYLAND. Q. You did not believe his story? *A.* No—I advi constable being sent for, but did not choose to take him myself.

GUILTY.—Death.

Fourth Jury, before Mr. Sergeant Arabin.

107. HENRY MILLER was indicted for stealing, on the 30th October, at St. Mary Matfelon *alias* Whitechapel, 8 sovereigns, 6 half-so igns, 4 crown-pieces, 24 half-crowns, 40 shillings, 38 sixpences, 3 gro and 1 5*l*. Bank-note, the monies of George Bose, in his dwelling-hous

MR. PAYNE *conducted the Prosecution.*

MARY ANN BOSE. I am the wife of George Bose, who keeps the K of Prussia public-house, in George-street, Whitechapel. The prisoner employed by us as a jobbing carpenter—we went into the house ab three weeks before we were robbed—the prisoner came on Monday, 21st. of October, to fix a bedstead—while he was in the house, I went my bed-room, and found a box in which I kept money with the l forced, and the screws almost out—this was three or four days before robbery—I went down to the prisoner, who was at work in the club-ro and said it was very strange, the screws were forced, and I was in habit of keeping my money there, and I should remove it—he said, "I was you, I would"—I said I would put it into my drawer, which I di after that, I went to a drawer in my bed-room, to get change for a soverei while the prisoner was at work in the room—he saw me go to the dra —I locked the drawer, as usual—on Tuesday, the day before I missed money, I found all my money safe at ten o'clock in the morning—the soner had finished his work in the house on the Monday, the 28th, left his tools behind him—he had no business there on Tuesday, but came between eleven and twelve o'clock, and asked the servant for tools—I saw him in the house—I saw him come down stairs, while were dining in the parlour—he had no business up-stairs at all—I had so drawers in an upper room, which had not been put into the chest, and th were locks on all of them—having just moved, we did not put the draw in their places, they were lying about, and after the robbery I missed a l off one of those drawers—the same key opened all the drawers—whe went to my drawer, on Wednesday, the lock had not been forced—it m have been opened by a key—I lost a 5*l*. note, 11*l*. in gold, and in silver—I have two small children, and one servant—it was a v serious loss, for we had saved it to pay our brewer.

Cross-examined by MR. HORRY. *Q.* They were common locks? *A.* Yes—ours is a public-house—we have two or three foreigners lodging in the house, but they had nothing to do up-stairs—the prisoner was first employed on Monday evening, to take down a bedstead—he was apprehended on the Wednesday week following—I at first kept my money in a box in a room above my bed-room—I employed him to put up a partition in the club-room, to make a bed-room by the side of the club-room—my drawer, and every thing was then moved to the first-floor room—he was parts of several days doing the partition—I cannot say what day it was I found my box forced—it was near the middle of the week—I brought the money down stairs, and put it into my drawer in the room he had parted off from the club-room—the drawers were standing in the club-room, and he helped me into the room with them—I had left two of the drawers loose in the room above—the drawer with the money in it was locked—I had no difficulty in opening it—the other two drawers were afterwards brought down, and put into the chest—I mentioned the circumstance about the box before—the money was in the box from the time we went in till I removed it—I kept the box locked, and I kept the key in my possession—the prisoner knew I had money there, he saw me go up and down stairs for change—I suppose he must have known there was money in the box—if he shook it he would have heard the money rattle—I did not open it before him—I did not keep the club-room door locked, as he was at work there—I locked the drawer where the money was—I left the bed-room door a-jar—it was a sliding partition.

MR. PAYNE. *Q.* Had the foreigners access to the bed-room? *A.* No, they lodged in the room above the club-room.

MARY BURKE. I am the prosecutor's servant. I recollect the prisoner being employed to work in the house, which he finished on Monday the 28th—he left his tools behind him—he came on Tuesday to fetch them, and I saw him coming down stairs—I had not seen him go up stairs—he had no business there—I was in the parlour—he came to me, and asked me to give him his tools, which were in the bed-room—I went and got them, and gave them to him in the club-room—the bed-room door opens into the club-room—I left him there—in the evening I went into the club-room, and found the tools still on the table, where I had left them—he had not taken them away—I saw mistress in her bed-room about ten o'clock on Tuesday morning—I went into the room for change for a half-sovereign, and she gave me the change out of the drawer—the money was then safe.

Cross-examined. *Q.* What time did he come for the tools? *A.* Between eleven and twelve o'clock—I cannot swear it was not twelve o'clock—we had not dined, we dined about an hour after—we do not always dine at the same hour, but we dined that day between twelve and one o'clock—it was not between twelve and one o'clock that I saw him—if he had gone into the bed-room he would have seen the tools—he came down, and asked me for them—I know it was ten o'clock that I had the change, because mistress was not up—she did not keep the club-room closed, and the bed-room door was unlocked sometimes—we had four or five Germans lodging in the up-stairs room for about a fortnight.

GRACE LACKIE. I am the wife of Stewart Lackie, and live in the Minories. On Friday, the 25th of October, between eleven and twelve o'clock, the prisoner came to our shop with a lock, similar to the one produced—(*looking at one*)—and asked if I had any keys that would fit it—

I tried all the keys I had—he asked if I had any others—I took a small bunch of keys out of my pocket, and one of them would nearly fit—I told him I could make it fit in a short time—he said he could not wait any time, he was in a particular hurry—he was dressed in a dark fustian jacket and trowsers, or dark cloth trowsers—I am quite sure he is the person—I went to the door to look after him, and his knees turned in a particular way—I knew him again directly I saw him coming out of the lock-up house.

Cross-examined. *Q.* Are you quite certain he is the person? *A.* I am sorry to say I have been obliged to swear several times I am certain of him, or I should not have sworn now—it was between ten and twelve o'clock, as near as I can tell—we do not have many people come to have keys fitted—we keep old keys—I only saw him just while we had the conversation—it is a common lock—I have never said it was between twelve and two o'clock that he came—it was between ten and twelve o'clock, as near as I can guess—I cannot say exactly the hour.

George Bose. I keep this house. The prisoner was employed to work there—I missed a lock off one of the drawers—this is it—any key that fitted this would unlock the drawer in which the money was kept—they were all alike—I did not see the prisoner on the Tuesday—some Germans were residing in my house, but they had no access to my wife's bedroom.

Cross-examined. *Q.* Did you tell your wife you missed the lock? *A.* No, not before the robbery was committed—I bought another lock two days or a week before, to put on one of the drawers—I cannot exactly say the day I bought it—it was the week before the robbery.

Ellen Collyer. I am sister of Mrs. Bose. I was in her house on Tuesday, the 29th, dining there in the parlour—I saw the prisoner come down stairs between twelve and one o'clock.

Mr. Horry *called*

Thomas Wood. I am a pewterer, and live in King-street, Commercial-road East—I have known the prisoner between four and five months, and have employed him—he worked with me on Friday, the 25th of October, from half-past ten o'clock in the morning till ten o'clock at night, in Lambeth-walk, where I had a job—we went there together from my house, at half-past ten o'clock, and got there before twelve—we left work at ten o'clock, and the man that employed us kept us in his company till about eleven o'clock—we parted at eleven.

Mr. Payne. *Q.* How do you know it was Friday, the 25th? *A.* Because I had to complete the job by Saturday, as the house was to open then—he had been at work for me about a month before—he was not with me every day that week—I am a little master-pewterer—he works for me when he has nothing better to do—I made a memorandum of the day he worked with me—it is at home—I can write enough to make a memorandum of the day of the month and week, and to make out a bill—I do not know what trade the prisoner is—he can work at carpentering, I believe—I have had a very short acquaintance with him—Mr. Byng employed me to do this job—it was to cover a counter-top with pewter—the prisoner assisted me—I did not promise him any particular sum for doing so—he had had 3*s.* 6*d.* a day before—I got about 1*l.* by the job—I hired the prisoner to carry the metal for me, and then said he might as well stop the day—I gave him 1*s.*, and have not seen him since to pay him the other.

COURT. *Q.* Do you always keep a memorandum of every thing you do? *A.* Not of every thing—I remember making one of the 25th, because, not being a good writer, I copied it again before I made a perfect one—I was subpœnaed here by Mr. Hall—I do not know whether he is the prisoner's lawyer—he asked me if I remembered what day I had done the job on, and I said the 25th—he did not mention the 25th to me.

THOMAS BROWN. On the 25th of October, I saw the prisoner at No. 2, Lambeth-walk—he came to assist Wood to do the counter of the public-house—they got there before twelve o'clock, and were there the whole day till nine or ten o'clock at night—I went out about nine o'clock.

COURT. *Q.* Did you keep a memorandum of it? *A.* No—I cannot swear to the time—I can swear it was before twelve o'clock, because the workmen left for dinner—it was about twelve o'clock—he was employed there during the whole of the day, in fact he did not leave for dinner—I have seen the lawyer, and had some conversation with him, and had something to drink.

MR. HORRY. *Q.* Did the lawyer tell you what to say? *A.* No—I did not know the prisoner before.

MR. PAYNE. *Q.* Who paid for what you drank, the lawyer or yourself? *A.* I believe it was the prisoner's brother—I believe among all the witnesses to day, the drink amounted to about 2*s.*—I have drank about a pint and a half of beer to day.

THOMAS BROWN, Jun. I am the son of the last witness. I saw the prisoner at No. 2, Lambeth-walk, about half-past eleven, or between that and twelve o'clock, on the 25th of October—I know the time, because we all go to dinner at twelve o'clock, and I know it was the 25th, because it was the day before the house was open—that was the day as far as ———

MR. PAYNE. *Q.* As far as what? *A.* I made a mistake—I was going to say as far as my recollection serves me.

MR. HORRY. *Q.* Did you see the prisoner during the whole day? *A.* I did—I saw my father and Wood there—they left work at eleven o'clock at night—my father and I lodge there.

COURT. *Q.* Where did the prisoner come from? *A.* I do not know—I believe he came from Prescott-street—I was subpœnaed by Mr. Hall, the solicitor—that was the first intimation I had of this—it is five or six days ago—I first saw Mr. Hall in Prescott-street—the gentleman belonging to the house in Lambeth-walk, had a house in Prescott-street, and I was there—he told me of the robbery.

WILLIAM LUKIN. On Friday, the 25th of October, I saw the prisoner at Lambeth-walk, working there, assisting the pewterers—I first saw him between eleven and twelve o'clock—I was at work there—I live in Frances-street—I know it was the 25th, because on Saturday night they opened—I saw the prisoner all the day, till eleven o'clock at night—Mr. Hall sent me a note to come here.

GUILTY. Aged 18.—Transported for Ten Years.

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108. JOHN STOREY was indicted for stealing, on the 28th of October, 26lbs. weight of sugar, value 20*s.*, the goods of Edward Price.

EDWARD PRICE. I am a grocer, and live in Pancras-vale, Hampstead-road. On the 28th of October, this sugar was taken from my shop, between nine and half-past eleven o'clock—I mentioned it to the policeman, and he brought the prisoner to me with the sugar.

CHARLES PERRY. I am a policeman. I stopped the prisoner about two miles from the prosecutor's shop, carrying the sugar on his shoulder, in paper as it is now—I asked where he was going to take it—he said some man in the street gave it him to carry a little way—he neither knew the man, nor where he was—he could give no description of him—I took him to the station-house, and found the owner.

Prisoner. I was walking along the street—a man came up, and asked me to carry the parcel—I did so—the policeman came up, and I suppose the man ran away, for I could not see him when the policeman stopped me. *Witness.* I saw nobody running—I stopped a quarter of an hour to see if any body came.

GUILTY. Aged 17.—Whipped and Discharged.

NEW COURT.—*Friday, November 29th*, 1839.

Fifth Jury, before Mr. Recorder.

109. ROBERT ISLES was indicted for embezzlement; to which he pleaded

GUILTY. Aged 30.—Confined Six Months.

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110. CHARLES LEWIS was indicted for stealing, on the 23rd of November, 3 half-crowns, the monies of James Curtis, his master; to which he pleaded

GUILTY. Aged 22.—Confined Six Months.

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111. JOSEPH GREEN was indicted for uttering counterfeit coin; to which he pleaded

GUILTY. Aged 16.—Confined Six Months.

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112. JOHN THOMAS was indicted for uttering counterfeit coin; to which he pleaded

GUILTY. Aged 20.—Confined Nine Months.

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113. MARY CROSS was indicted for a misdemeanor.

NOT GUILTY.

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114. FRANCIS TRIBE was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

REBECCA WARNER I keep the Grapes' public-house, in Rose-street, Covent-garden. On the 29th of October, between one and two o'clock in the morning, the prisoner came in with others—he called for a quartern of gin, which came to 4*d.*—he gave me a crown-piece, I gave him 4*s.* 8*d.*, and put the crown-piece into the till—there was not another crown there—the prisoner went away—something occurred afterwards, which led me to examine the crown—I saw it was bad—I put it into the till again—the prisoner came again in the course of twenty minutes—I cannot say whether he wanted half-a-pint of beer or some liquor, but he gave me another crown-piece, which I discovered was bad—I said, "This is another bad crown-piece"—I called my waiter to go and take him—I recognized him to be the same party—he ran away, and was brought back by the policeman—I marked the two crown-pieces, and gave them to the policeman.

Cross-examined by MR. HORRY. *Q.* Yours is a night-house? *A.* No,

I very seldom keep open so late—the reason was we had persons there that we could not get out—there might be half-a-dozen persons coming in and out—I know Jane Smith—I just let her look at the crown-piece, but she gave it me back—it did not pass from her hand to the waiter—I think she gave it back to me—that was the first crown-piece—shortly after that she went away—I did not tell the policeman that the prisoner was not the man who uttered the first crown—the minute I said the second was bad he ran away—I had only a few shillings and sixpences in my till beside—the prisoner had gone before I gave the crown-piece to Smith.

WILLIAM CLARK (*police-constable F* 129.) I was in the street on the morning of the 29th of October—I received a hint to take the prisoner—I took him to Mrs. Warner's, and received from her these two crown-pieces—she marked them—I found on the prisoner a shilling, a sixpence, a penny, and a good crown-piece—I first saw him about a dozen or fourteen yards from the public-house—a woman, whose name I do not know, said to me, "That is the man that gave a bad crown-piece at Mrs. Warner's"—I then watched him, and saw him go back to the house—there were two men with him—when he came out the second time I took him.

Cross-examined. *Q.* When you first went in, did not you and Mrs. Warner go into the parlour together? *A.* No, she was at the bar—I took the prisoner into the parlour to search him—I know the house very well, it is very well conducted.

MR. JOHN FIELD. I am inspector of coin to the Mint. These crown-pieces are both counterfeit, and cast in the same mould—the one found on the prisoner is good, and is not the same impression as the bad ones.

GUILTY. Aged 21.—Confined Twelve Months.

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115. THOMAS BYGRAM and BENJAMIN DRAPER were indicted for stealing, on the 2nd of November, 4 bushels of oats, value 13*s.*, the goods of William Wells, the master of Bygram.

WILLIAM WELLS. I have a corn-warehouse in Shoreditch—Bygram was in my employ—Draper was in the employ of Cousins, of Cheshunt—he used to come to my premises in Plough-yard, adjoining my warehouse, to fetch dung—Bygram had the sole control of the corn in the warehouse, and what was pitched in the stable.

ELEAZAR MEADOWS. I am coachman to Dr. Whitaker, in Shoreditch. I live at No. 12, Plough-yard, opposite the prosecutor's premises—I have observed Draper taking dung from the prosecutor's premises, and I have sold him dung—on the 2nd of November I saw Draper taking dung from the prosecutor's premises, and a man was assisting him—I was washing my master's carriage at the time—Draper had not dung enough to make a load, and he applied to me—I noticed Bygram bring a sack from the prosecutor's stables—he put it in the tail of the wagon, and Draper took it up to the top of the wagon, and put dung over it—it seemed to be full, and as heavy as a sack of oats would be—Bygram then returned to the stable—I afterwards gave information.

Cross-examined by MR. BALLANTINE. *Q.* What time of day was this? *A.* I can say safely it was between nine and twelve o'clock, because I go out at twelve o'clock—I had seen Bygram before, and I am certain of him—if the sack had been full of any thing but oats, it would have appeared heavy—I saw Bygram bring it out of the stable-gates, which are two or

three yards from where they took the dung up—the gates lead at once into the stable. NOT GUILTY.

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116. THOMAS BYGRAM and BENJAMIN DRAPER were *again* indicted for stealing, on the 12th of November, 4 bushels of oats, value 13*s*., the goods of William Wells, the master of Bygram.

JOSEPH WHITE. I am a labourer, and lodge in Old Cock-lane, Bethnal-green. On Tuesday, the 12th of November, I accompanied Draper to load some dung at a yard in Shoreditch—and after we had done that, I saw Bygram bring a sack of corn from some where—I cannot say where—he pitched it by the side of the cart—Draper asked me to lend a hand with it, and I did—it appeared to me to contain oats—I had my hand on the sack, and carried it into the cart—it was put into the fore part of the cart, and Draper covered it over with a tarpaulin—I then went with the two prisoners to a public-house, and we had a pot of beer—I there saw Draper give Bygram something, but I cannot tell what—before I saw Bygram, Draper told me he was going to take some corn for the horses.

Cross-examined by MR. DOANE. *Q.* Did he not say, "A little corn for the horses?" *A.* Yes—I was taken up—I never saw the inside of the sack—I am a labourer, and go about the country—I have been used to ploughing—I have not been used to handle sacks a great deal.

Q. Have you not said it might have been empty sacks in it? *A.* It was not empty sacks—they were on the top of the dung—I said I could not swear it was corn, because I did not see the inside—I was sworn before the Magistrate—I told the clerk that the sack might have contained empty sacks, for aught I knew.

ELEAZAR MEADOWS. I saw the dung loaded on the 12th of November, and while Draper was loading the dung, Mr. Wells showed me one of the nose-bags which had his name on it—I did not see Bygram that day.

Cross-examined. *Q.* There was no difficulty in seeing the name? *A.* No, I saw it very plainly—I cannot tell whether it was made out of an old sack—the nose-bag was on one of the horses in the team driven by Draper.

ALFRED SADLER. I am foreman to Mr. Wells. Bygram had charge of the corn in the stable—my master's sacks have his name on them—I missed one sack of corn from the stable on Tuesday, the 12th of November—on the Monday fifteen quarters had come in—on the Tuesday there ought to have been eleven, and there were but ten and a half—I cannot say whether one of the sacks was missing—they were fifteen quarters of a particular sort, and four of them went out—the horses were not feeding on that corn at all.

Cross-examined. *Q.* Did you see these fifteen quarters come in? *A.* Yes.

Bygram. There were four quarters and a-half drawn up—they were not sent out, but drawn up, and six and a-half of another sort were mixed with them, and then five quarters of the mixture went out—the boy who was there can give the same account. *Witness.* I am quite sure that only four quarters were drawn up, and not four and a half—I was there, and gave the order.

WILLIAM WELLS. Bygram was in my employ—he had the control of

all the corn in the stable—in consequence of information, and my foreman finding the deficiency, I gave the prisoners in charge.

BYGRAM—GUILTY. Aged 23.
DRAPER—GUILTY. Aged 51. } Transported for Seven Years.

117. ZACHARIAH NORRIS was indicted for stealing, on the 13th of November, 4 shillings, the monies of William Rowland.

MARY ANN ROWLAND. I am the daughter of William Rowland, who keeps a grinder's shop in Cross-street, Church-street, Bethnal-green. On the morning of the 13th of November, I was in a room adjoining the shop—I heard a chinking of money, and went into the shop directly—I saw the prisoner coming from behind the counter, I caught hold of him, and asked what business he had there—I do not recollect that he made any answer—he got from me by struggling—I followed him outside the shop, and caught him again—there was another boy outside, to whom he attempted to give what he had got in his hand, but I was too close to allow of that—I laid hold of the prisoner, and he dropped four shillings—a little girl who was going by picked them up, and gave them to me—I took the prisoner in, and gave him into custody—I noticed that the till was drawn out, and the prisoner came from the end of the counter, where the till was—I thought there had been about 6*s*. 6*d*. in it—I gave the four shillings to my father, who gave them to the officer.

RICHARD BAKER (*police-constable H* 31.) I was called, and took the prisoner—I received the four shillings from the prosecutor—I found nothing on the prisoner.

Prisoner's Defence. I was going to my dinner—this witness ran out of the shop, and caught me—I had not been inside.

MARY ANN ROWLAND *re-examined*. There was another boy, bigger than the prisoner, outside—I am certain it was the prisoner who was in the shop, and whom I took hold of, and who dropped the money—I caught him again before he had got off the step.

GUILTY.** Aged 12.—Transported for Seven Years—Penitentiary.

118. EMMA BRADLEY was indicted for stealing, on the 3rd of November, 1 purse, value 1*s*.; 1 sovereign, two half-sovereigns, two half-crowns, and 7 shillings, the property of William Walter Clare, from his person.

WILLIAM WALTER CLARE. I am in the employ of Mr. Lowden, a linen draper, in Crawford-street. I met the prisoner in Oxford-street about two o'clock in the morning, on the 3rd of November—she put her hands into my trowsers—she first put one hand in, and then the other—the pockets of my trowsers are inside the flap—on her withdrawing her hands, I missed my purse—I taxed her with it—she denied it, and produced a purse, which appeared to be empty, and some keys—she crossed the road, and we went away—I afterwards found her at a public-house—as she was going to the station-house, the officer asked her about some keys, and she said a gentleman had taken them from her an hour before—I was sober.

Cross-examined by MR. HORRY. *Q*. Where had you been? *A*. I had come from York-street, where I had been in fact all day—I had been drinking—it was a lodging-house, where some friends of mine were—there was a female there—I had no opportunity of giving the prisoner any thing—I had not offered her any thing—we were standing together about

minutes, doing nothing but talking—I did not ask her to take me home with her—I would not swear that I did not—she showed me some keys, and I took them out of her hand—I did not say, "I can go home myself"—I did not ask her to go up a court—I was taxing her with robbing me for, perhaps, a minute or two—a policeman passed at the time—I did not tell him to take her—I was not going to give her any thing.

SOPHIA NOBLE. I am the wife of a policeman, and am searcher of females at the Marylebone police station. The prisoner was brought in about three o'clock in the morning—I said I must search her—she said, "What for?"—I told her she was charged with robbing a gentleman—she said, "Me charged with robbing a gentleman, the wretch has robbed me of my keys"—I found a purse in her bosom, and one sovereign, two half-sovereigns, one shilling, some copper, and three duplicates—she said a friend had met her that evening, and given her 3*l.*, and she had spent part of one sovereign with some girls.

JOHN ROACH (*police-constable D* 116.) The prosecutor applied to me at the end of Wimpole-street, about half-past two o'clock—he told me he had been robbed in Oxford-street—I crossed over the road, and asked an officer if he had seen this gentleman with a female, and from what he told me, I went to the Fox public-house, in Oxford-street, and found the prisoner sitting with a man and woman—I said I wanted her for robbing this gentleman—she said she knew nothing of it—I asked if she knew any thing about any keys—she said her keys had been taken from her by a gentleman—and at the station-house she said these keys were hers—I asked if she had any money—she said, "Only some halfpence," which were in her hand.

GEORGE THORNTON (*police-constable D* 103.) I was in Oxford-street that morning—I saw the prosecutor and the prisoner talking.

Cross-examined. *Q.* Did he appear to be detaining her at all? *A.* He was not, they were talking in a friendly way—in an hour and a quarter after, I saw the prisoner in the station-house.

WILLIAM WALTER CLARE *re-examined.* I recollect seeing this purse, which was found on the prisoner, in her hand—it is not mine—it appeared to me to have nothing in it, but I did not have it in my hand—my purse has not been found—I never saw it in the prisoner's hand—I had not met any other woman whom I had been familiar with—I had seen my purse about half-an-hour before I met her—I had merely been walking down Oxford-street—I was in search of a bed—my purse could not have fallen from my pocket.

Cross-examined. *Q.* How came you to see your purse? *A.* I had taken it out at a public-house in Oxford-street, where I was inquiring for a bed, and had sixpenny-worth of brandy-and-water—I cannot say what distance that was from Stratford-place.

JOHN ROACH *re-examined.* The prosecutor told me he had lost 3*l.* or upwards—he did not say what coin it was—he said it was in a green purse, and he did not care so much for the money as to take the person—I know the house where he says he asked for a bed—it is the Victoria public-house—it is at the corner of the next street to Stratford-place—it would not have taken him more than a minute or two to walk from there to where he says he was robbed—he was not drunk—he was sober enough to know what he was doing.

NOT GUILTY.

119. ELIZABETH MULLINS was indicted for stealing, on the 12th of November, 3 sovereigns, 1 half-sovereign, 2 half-crowns, and 3 shillings, the monies of George Cope, from his person.

GEORGE COPE. I am a stone-mason, and live in Exmouth-street, Hampstead-road. On Monday night, the 11th of November, I met the prisoner in Hampstead-road—she accosted me—after a little conversation she went with me to my lodging—there was a young man in the room, who lodges there—there was only one bed in the room—the prisoner got into the bed with me—we left there at six o'clock in the morning, went to a public-house, and then to a coffee-shop—she left me about one o'clock—I told her I had to go to Marylebone police-office to meet a friend—I missed some money on Tuesday evening—the last time I saw it safe was in a public-house, where I was with my friend, about half an hour after I left the prisoner—I then joined her again at Marylebone office—she then had a cloak on, which she had not in the morning—we went to a public-house—I saw her pick up a fourpenny piece in the street, and she paid for a quartern of gin with it—we went to another public-house in Rathbone-place, and went to a variety of public-houses, and after that I missed my money—when I saw it I had three sovereigns, one half-sovereign, two half-crowns, and three shillings—I have found none of it—both of us got very drunk, and the prisoner sent for a *cab*—I felt in my pocket for money, and it was all gone but some halfpence—I had not seen it after one o'clock—I told her I had lost my money, and she must have taken it—she laughed, and made some reply—I told the *cab* man to stop, and call a policeman, which he did—on the way to the station-house the prisoner delivered me a key which had been in my waistcoat pocket, where my money was—I do not think my money had tumbled out—I was not down on the floor or on the seat—I might have fallen asleep—there was some money found on her.

Prisoner. Can you say that I had any of your money to buy my cloak? *A*. No.

SOPHIA NOBLE. I am the wife of James Noble. I live at the station-house—the prisoner and the prosecutor were brought in quite drunk, on the night of the 12th of November—I searched the prisoner, and found in the pocket of her gown one sovereign, 2*l*. in silver, 11*d*. in copper, and a bad shilling—her pocket was drawn up out of the gown, and put into her bosom—I took her into a little room, and began to undress her—she told me to hold my *hush*, and keep it in the dark—she said, "I have got his money; if you will hold your tongue, and keep it till the morning, I will make you a handsome present, and give you a sovereign"—she said she had been twenty-four years on the town, and had taken many a 10*l*. note, and put in between the soles of her shoes, and she showed me the place—it appeared to be made on purpose—she has got the shoe on now—there is a vacant place to put it in; and she said, "I bought this cloak out of the vagabond's money, and I gave 15*s*. for it"—she was very tipsy.

WILLIAM TAYLOR. I am a *cab*-driver. I was in Tottenham Court-road—I took up the prisoner and prosecutor in Sutton-street, at half-past five o'clock—the prisoner put a cloak in my *cab*, and asked me to have something to drink—I said I would have a drop of bitters—she told me to take care of the cloak—I said, "It is all right"—I drove up part of Tottenham Court-road, and she looked out, with no cap nor bonnet on, and told me to drive to a public-house, where she would have some brandy-and-water—I

went to the corner of Goodge-street, and they had sixpenny-worth of brandy-and-water—I then went on, and when I stopped she was going away—I said, "You can't go"—she said, "You must drive me to Mary-street, Hampstead-road," and she would not pay me till I got there—we went down Wigmore-street—the prosecutor looked out, and said he was robbed, and told me to call the first policeman, which I did—he would not take the charge out of the *cab*—I then took them to Marylebone office—the prisoner said, "What did you bring me here for?"—I said, "The gentleman says you have robbed him"—she said, "No, it is in the *cab*, or else you have got it," and I went to get a candle, and they searched the *cab* all over, but did not find it.

WILLIAM TOOLE (*police-sergeant D* 5.) I was in the outer yard of Marylebone office about seven o'clock in the evening, and was called by a *cab*man who said a man was robbed by a woman—I searched the *cab*, and found no money—I saw the prisoner putting her hands to her bosom, and then I gave charge of her to another constable—she was taken, and the pocket and money taken from her by Noble.

Prisoner's Defence. I met the man between twelve and one o'clock on Monday night—he asked me where I was going—I said, "Home"—after about a quarter of an hour he invited me to go to his apartments—I agreed—we went to a back parlour—after I got into bed, I thought I felt somebody drawing the clothes, and there was a person in the bed—I said, "Is this your wife?"—he said, "No; it is a young man that sleeps very sound; he will not annoy you"—I said, "If you will give me 20*l.* I would not stay in this room"—I got up, and sat on a chair—I told him to go out, we went to a public-house and had some gin and-water, and then to a coffee-shop—we then went to another coffee-shop in Drummond-street, and then into another public-house, then to a coffee-shop, and had a cup of coffee—I told him I wanted to go to Tottenham-court-road, if he would wait, which he did—I went and bought my cloak, and gave 10*s.* 6*d.* for it—when I came back to the coffee-shop he was gone—I went to Rathbone-place, and waited—he did not come—I then went to Marylebone office, and he was there, but had changed his clothes—he told me to stop for him, as he thought his friend would be liberated, and then we went to several public-houses—in the course of the evening he gave me some money, and I put it into my pocket—what it was I cannot say.

GEORGE COPE *re-examined.* *Q.* Are you quite sure that you did not give her any money? *A.* I feel confident in myself that I did not, but I could not speak positively.

GUILTY. Aged 33.—Transported for Ten Years.

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120. JANE JOHNSON was indicted for stealing, on the 28th of October, 1 tablecloth, value 2*s.*, the goods of Robert Redman.

ANN REDMAN. I am wife of Robert Redman, and live in Edward street, Regent's Park—the prisoner lodged with me in a ready-furnished room—she came alone on the 30th of September, and staid four weeks—I missed a tablecloth—she went out in the evening and did not pay—the man who lived with her went out that morning.

Cross-examined by MR. BALLANTINE. *Q.* Did she come alone when she took the lodging? *A.* A friend of mine, who lived in the same street, brought her to me, and about a week after I saw a man whom she told me

was a cabinet-maker—he lived with her—I missed my tablecloth on the 28th of October.

EDWARD HORNE. I am a pawnbroker and live in Ernest-street, Regent's Park—I produce this tablecloth, pawned on the 28th of October—I think it was by the prisoner. NOT GUILTY.

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121. JANE JOHNSON was *again* indicted for stealing, on the 6th of November, 1 blanket, value 2*s.*, the goods of William Dunt.

MATILDA HILBERS. I live with William Dunt, my uncle, in Ogle-street, Marylebone—the prisoner took a lodging of my aunt—I believe this blanket to be my aunt's—it was lost on the 6th of November, when the prisoner had been there about twenty minutes.

Cross-examined by MR. BALLANTINE. *Q.* You cannot be positive to this being your aunt's? *A.* I believe it is.

WILLIAM FRENCH. I am a pawnbroker in Tottenham Court-road—this blanket was offered to be pawned by the prisoner, but was not taken in—the witness followed her to the shop and gave her in charge.

MATILDA HILBERS *re-examined.* This is very much like the blanket I had on my bed—it was safe at twelve o'clock that day, and when the prisoner went out I followed her.

GUILTY. Aged 21.—Confined Three Months.

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122. JAMES HAYES was indicted for stealing, on the 11th of November, 3 brushes, value 3*s.*, the goods of James Aldous.

THOMAS GOOD. I am shop-boy at Mr. James Aldous' sale shop in London-street—on the 11th of November I was at the door between eight and nine o'clock in the morning, when the prisoner came to the door and took up a set of brushes, put them under his coat, and walked away—I ran after him—he threw them at me, and struck me in the eye—I laid hold of him till a man came and took him—the brushes were picked up in the street—these are them—(*looking at them.*)

THOMAS COOPER (*police-constable C* 141.) I took the prisoner, and produce the brushes—he said he did not take them, another boy took them, and ran away—he was asked at the station, and said there was no one with him.

Prisoner's Defence. I know nothing of them.

GUILTY.* Aged 15.—Confined Six Months.

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123. ANN CONNOWAY was indicted for stealing, on the 20th of November, two sovereigns and one shilling, the monies of Martha Ridler, her mistress.

MARTHA RIDLER. I keep a lodging house in Dyer's-buildings, Holborn. The prisoner was my servant—on the 19th of November I went to bed between eleven and twelve o'clock—some time after, I heard a noise in my room—I had left my pocket on a chair by my bedside, and put my things over it—the prisoner came up in the morning about six o'clock very quietly and stood at the foot of the bed—the curtains were partly drawn—she then went down—when I got up my pocket was gone from the side of the bed, where I had left it, and was at the bed foot—I missed from it two sovereigns and a shilling—I asked her what she did in the room so early in the morning, and she said she had not been there—I said I had lost something, but I did not say what—she denied that she had been in the bed-room, and then she confessed she was in the room, and had taken two

sovereigns and one shilling—I asked her what she had done with it—she said she had thrown them down the privy—on looking there, nothing was found—it could not be searched—it is twenty feet deep—I did not make her any promise or threaten her.

Cross-examined by MR. PAYNE. *Q.* How much money was in the pocket? *A.* Nine sovereigns, a 5*l.* bill, two shillings, and one sixpence—I am quite sure the prisoner came into the room in the morning—it was light enough to see her—she had no cap on—I did not see her do any thing—I was wide awake—a friend was sleeping with me, who is here—the prisoner walked as if she had no shoes on—after some talk she said she had taken this—I did not say that if she confessed she should not be punished—Mrs. Cook was there—Mr. Ward came in after—I held out no promise to her, nor did any one—she came from Ireland, and had been with me about five months—she was rather alarmed when the policeman came.

WILLIAM COURTENEY (*City police-constable, No.* 15.) I took the prisoner—she made the same communication to me as to the prosecutrix—I went to the privy, lighted a piece of paper, and threw it down—there was no appearance of any thing, but the depth was very great.

Cross-examined. *Q.* Did the prisoner seem frightened? *A.* She seemed rather agitated—she said she had thrown it down—Mrs. Ridler and Mrs. Cook were there—I do not know whether Mr. Ward was present—nothing passed in my presence amounting to a threat or promise.

(The prisoner received a good character.)

GUILTY. Aged 23.—Confined Three Months.

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124. JOSEPH QUAINTON was indicted for stealing, on the 10th of November, 8 tame fowls, price 12*s.*, the property of John Elmore; 2nd COUNT, for stealing eight dead fowls.

WILLIAM GLASSCOCK (*police-constable T* 61.) Between seven and eight o'clock in the morning on the 11th of November, I saw the prisoner in Star-street, Paddington, five or six miles from Willesden—I stopped him and asked what he had got in the rush basket which he had—he said, "Poultry"—I asked him where he was going to take it—he said to Smithfield market, and that he had brought it from Mr. Tanner's, at Harlesden-green—I found in the basket five fowls, some of them were warm—in one of his pockets I found two more fowls, and one fowl in another pocket—I found on him some lucifer matches—he said then that he met a man on the road, who asked him to bring them to London.

Cross-examined by MR. PAYNE. *Q.* Are you quite sure he mentioned the name of Tanner and Harlesden-green? *A.* Yes—that is to the left of Willesden-green—you go up the Harrow-road to both of them—the fowls were all dead—those in the basket were warm—that might have been from their being closely shut up, or being but a short time killed.

CHARLES WEIRE. I am a servant to Mr. John Elmore, who lives in the parish of Willesden. The prisoner came to me on the 10th, in the farm-yard, and asked if I could give him a job of work—I said I should want two men on the Monday, that I should see Mr. Elmore in the course of the day, and if he came on the Monday morning I would set him to work—I saw the hen-house all safe that night, and on the Monday morning I opened the door, and sent a man in to let the fowls out—they all flew out so fast I could not count them, but I knew I had lost some—I saw eight fowls at the station-house on the Tuesday, and they were Mr. Elmore's.

Cross-examined. Q. You have got a large stock of fowls? A. Yes—there were more than fifty—Mr. Elmore bought ten chickens—he picked out two of them, and told me to take particular notice of them, and not to let them be killed—they were to be kept to breed from—we might have had them about three months—I fed them every day, and those two were amongst those that were found on the prisoner—one of them was a white hen all but two or three little black feathers, and there might be a spot of black round its neck, and one of them had black legs—I am quite sure I saw them at the station-house, and I missed them.

GUILTY. Aged 22.—Confined Six Months.

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125. CORNELIUS HAZLETT was indicted for stealing, on the 9th of November, 1 pair of shoes, value 2*s.*; the goods of John Bunn.

JOHN BUNN. I keep a shop in Wilsted-street, Somers-town. On the 9th of November I lost a pair of shoes out of my shop window—the prisoner was brought back with them—these are them—(*looking at them.*)

JOSEPH SANDERS. I am a cooper. On Saturday, the 9th of November, I was passing the prosecutor's shop about half-past ten o'clock in the evening, and saw the prisoner coming out of the shop with the shoes—I asked where he was going—he said, "Go on, go on"—I took hold of him, led him to the shop, took the shoes from him, and delivered them in at the shop.

JAMES LUCAS (*police-constable S* 172.) I took the prisoner and have produced the shoes.

GUILTY. Aged 15.—Confined Three Months.

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126. BENJAMIN SPUNDLEY was indicted for stealing, on the 13th of November, 5 planes, value 8*s.* 6*d.*; 1 saw, value 1*s.*; 1 oil-stone, value 1*s.*; 3 chisels, value 2*s.*; 1 hammer, value 1*s.*; and one rule, value 1*s.*; the goods of Josiah Barnes: 2 planes, value 1*s.* 6*d.*; and one screw-driver, value 1*s.*; the goods of George Wingrove: 4 planes, value 6*s.*; one saw, value 1*s.*; 1 lock, value 2*s.*; and 1 sack, value 4*s.*; the goods of Matthew Hooker: and that he had before been convicted of felony.

GEORGE WINGROVE. I live in Edmund-street, Battle-bridge, and am a carpenter. I have known the prisoner some time—he worked in Mr. Matthew Hooker's shop in the Chalk-road, where I worked—on the night of the 13th of November I left at eight o'clock, and locked the door—the next morning, at six o'clock, I found the tiles had been taken off the roof of the work-shop, and the lock of the door broken from within—I missed some tools of mine, some of Mr. Hooker's, and the sack which was Mr. Hooker's, had been in an adjoining shed.

JOSIAH BARNES. I work at Mr. Hooker's. I left these tools in the work-shop, and lost them at the same time.

WILLIAM PERRIN (*police-constable E* 49.) I met the prisoner at half-past ten o'clock at night, on the 13th of November, with this sack of tools—I followed him to Leigh-street, and stopped him—I asked what he had got—he said some tools, which he was going to take to his master's—I asked where—he said, "Just round here"—I went with him a few yards, and then I asked how far it was—he said, "Half a mile"—I took him to the station-house, and found in the sack these tools, which the prosecutors have identified.

THOMAS VERES (*police-constable E* 54.) I produce a certificate of the

prisoner's former conviction, which I got from Mr. Clark's office—(*read*) —the prisoner is the person.

GUILTY.—Transported for Seven Years.

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127. EDWARD MARTIN and CHARLES ALLEN were indicted for stealing, on the 30th of October, 1 umbrella, value 15*s*., the goods of George Turner; and that Allen had been before convicted of felony.

JOHN CURLEY. I am shopman to George Turner, a silversmith in Long-acre. About eight o'clock on the night of the 30th of October, I was at the door, watching my master's goods—I saw the prisoners come there—Martin took down a silk umbrella which was hanging at the door —Allen was with him at the time—when he had taken it, they walked away together—Martin did not ask the price of it, but put it partly under his coat so as to conceal it—Allen could see what he did—I called my master, and we went after them—I caught Martin, and my master caught Allen, who got away—Martin tried to get from me, but my master assisted me in securing him—this is the umbrella—it is worth 15*s*.

Cross-examined by MR. PHILLIPS. *Q*. Where was Martin standing when he took it? *A*. By the shop door—it could be reached from outside.

JOHN WILKS (*police-constable F* 149.) I was called, and took Martin into custody—this is the umbrella I received from Mr. Turner.

GEORGE TURNER. I live in Long-acre. In consequence of an alarm from my boy, I saw the prisoners outside my shop—they were walking arm-in-arm—I took the umbrella from Allen—he broke from me—I then seized Martin, and brought him back.

CHARLES HENRY BAGNELL (*police-constable F* 31.) About eleven o'clock that evening, I took Allen in Drury-lane—I told him I wanted him —he said, "What for?"—I said, "Do you know any thing about an umbrella?"—he made no answer.

EDWARD MABB (*police-constable F* 114.) I produce a certificate of Allen's former conviction, which I got at Mr. Clark's office—(*read*)—he was convicted of stealing a walking-stick from Mr. Turner, the present prosecutor.

MARTIN*—GUILTY.
ALLEN—GUILTY. } Transported for Seven Years.

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128. JOHN BALL was indicted for stealing, on the 28th of October, 1 brush, value 3*s*. 6*d*., the goods of James Simmons: and 1 brush, value 3*s*. 6*d*., the goods of Thomas Rayment: and that he had been before convicted of felony.

RICHARD SYER. I am a labourer. I was at work at some houses in Hyde-Park gardens, on the 25th of October—some white-wash brushes were missed from the stable of No. 16, there, and the next day I found two brushes concealed under some lime in a stall—I was placed to watch them, in a cistern over the stall where the brushes laid, and about six o'clock in the evening the prisoner came, and looked at them—he closed them up again, then wiped his hand, and walked away—I still kept watching, but no one came—on the Monday morning, the 28th, I was watching again for some time, when I was called out, and in ten minutes or a quarter of an hour, Mr. Allen came and told me the brushes were gone—these are them—(*looking at them.*)

Cross-examined by MR. BALLANTINE. *Q*. Do you know them? *A*. Yes—they were lost from a little room over the stable—one of them is

James Simmons's, and the other Thomas Rayment's—I saw the prisoner come and put his hand in the lime—he did not seem surprised at finding the brushes—he stopped, and seemed to listen, wiped his hand and went away.

CHARLES ALLEN. I am a carpenter. I saw the brushes in the mortar—I saw the prisoner enter the stall on Monday morning, the 28th, and when he came away I missed the brushes.

JAMES SIMMONS. I went to get my breakfast on the 28th, and heard Mr. Thomas, the clerk of the works, say, "There he goes"—I ran down and saw the prisoner—Mr. Thomas stopped him, and took these two brushes from him—one of them is mine, which I had missed.

Cross-examined. *Q.* Were they kept together? *A.* No—one was in one room, and the other in another—they were missed at one time.

THOMAS RAYMENT. I am a plasterer. One of these brushes is mine—I had kept it in the stable, but not in the mortar.

WILLIAM WALLIS. I am an officer. I received charge of the prisoner on the 28th, and produce the brushes.

CORNELIUS MURPHY (*police-constable E* 21.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the man.

GUILTY.—Transported for Seven Years.

Sixth Jury, before Mr. Common Sergeant.

129. HENRY WALTON was indicted for stealing, on the 13th of November, 1 sovereign, the monies of Joseph Erhart, his master.

CAROLINE SMITH. I live with Mr. Joseph Erhart, a confectioner in the Strand—the prisoner was his errand-boy—on the 13th of November I gave him a sovereign to get change—he did not bring back either—I saw no more of him till he was in custody.

Prisoner. You did not give it me—you laid it on the pewter, and when I came up, you said, "Never mind, I will do without the change now."

Witness. I am confident I gave it into your hand, and you left the shop with it.

SARAH ANN WARD. I was present and saw the witness give the prisoner a sovereign to get change—he took it in his hand and went out.

Prisoner. If Mr. Erhart was here, he would tell you that she was down stairs at dinner at the time. *Witness.* It is no such thing.

Prisoner's Defence. I did not take it—I went away because my master made me take some dust out and do some extra work—I met my master the next day, and he did not take any notice of me.

GUILTY. Aged 15.—Confined Three Months.

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130. MATTHEW SENDS was indicted for stealing, on the 14th of November, 5 lbs. weight of tobacco, value 17*s.*, the property of the London Dock Company, his masters.

MR. BALLANTINE *conducted the Prosecution.*

RICHARD TWEEDY. I am foreman of the tobacco warehouse in the London docks. On the 14th of November, the prisoner was employed in that warehouse—as he was leaving that evening, I took him into a place and searched him, and found about 2 lbs. of tobacco concealed up his back under his jacket—he took a knife and cut a rope-yarn that was round his body, and the tobacco fell down—I asked if he had any more about him,

and he said so help him J—— he had no more; but I found about ¼ lb. of tobacco in his shoes, and Kemp found some more on him—he had been at work on tobacco of a similar description—he told the gate-keeper that distress had driven him to it.

Cross-examined by MR. PAYNE. *Q.* Where else had he any? *A.* On his shoulders and his legs—he had not lost a day's work for the last three months—from the 1st of November, he had 2*s.* 4*d.* a day, and previous to that he had 2*s.* 6*d.*—I have heard that he has a wife and family.

WILLIAM KEMP. I am customs-gate-keeper at the London docks. I searched the prisoner and found some more tobacco on him—he said he was a mined man, and had a family of small children.

GEORGE DIX. I am a constable of the London Docks. I took the prisoner, and have the tobacco—he said he had a wife and family, and had taken the tobacco to buy a blanket to cover them.

(The prisoner received a good character.)

GUILTY. Aged 30.—*Recommended to mercy.*—Confined Six Months.

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131. WILLIAM COUPLAND was indicted for stealing, on the 16th of October, 13lbs. weight of mutton, value 8*s.* 6*d.*; and ¾ lb. weight of pork, value 6*d.*; the goods of John Brooks Pain, his master: and SARAH COUPLAND, for feloniously receiving the same; well knowing the same to have been stolen; against the Statute, &c.

JOHN BROOKS PAIN. I keep a butcher's-shop in Lambs Conduit-street. The male prisoner was in my service—on the 16th of October, I went with a policeman to No. 6, Boswell-court, to a room occupied by the female prisoner—I then went with the officer to the station-house—he showed me some mutton and pork, which I believe to be mine—I compared them with some meat at my shop, and they corresponded.

HENRY HAWTHORN. I am foreman to Mr. Pain. I saw the mutton and pork compared with what was in the shop, and it had belonged to it.

ALFRED WALKER (*police-constable E* 43.) I stopped the female prisoner in Boswell-court—she had a leg and shoulder of mutton, and a piece of pork—she said she had some mutton, which she got at Newgate market.

NOT GUILTY.

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132. WILLIAM COUPLAND was *again* indicted for stealing, on the 13th of October, 17lbs. weight of beef, value 9*s.*; and two meat-cloths, value 2*s.*; the goods of John Brooks Pain, his master; and SARAH COUPLAND, for feloniously receiving the same; well knowing the same to have been stolen; against the Statute, &c.

JOHN BROOKS PAIN. The male prisoner slept at my house in general, but sometimes he slept out—the female prisoner is his wife—we have ascertained that—I went to their lodging in Boswell-court on the 16th of October, and found a round of beef and these cloths—I have no doubt they are mine.

Cross-examined by MR. PHILLIPS *Q.* How long do you suppose the beef had been in salt? *A.* Two or three days—I know it was in the shop on the 12th—I have five men and boys, and they all sell—the money is handed to me or to Mrs. Pain.

COURT. *Q.* To your knowledge, have you ever sold or booked any meat to the prisoner? *A.* Never.

ALFRED WALKER. I am a policeman. I found the beef in a cupboard in the lodging in Boswell-court, on the 16th—I asked William Coupland

when he was at the station-house, where he got it—he said he had bought it of a man in Whitechapel.

HENRY HAWTHORN. This beef is Mr. Pain's, I have no doubt.

Cross-examined. *Q.* How long had it been in salt? *A.* It might have been seven or eight days. NOT GUILTY.

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133. SARAH COUPLAND was indicted for stealing, on the 6th of April, 1 shift, value 1*s.*; 3 bedgowns, value 6*s.* 6*d.*; 2 petticoats, value 7*s.*; 2 sheets, value 10*s.*; 2 pillow-cases, value 4*s.*; 1 tablecloth, value 4*s.*; 1 napkin, value 6*d.*; 1 veil, value 30*s.*; 1 apron, value 2*s.*; 1 cap, value 2*s.* 6*d.*; 1 sampler, value 6*d.*; 1 shirt, value 7*s.*; and 1 slide, value 2*s.*; the goods of Robert Harbridge, her master.

ELIZA HARBRIDGE. I am the wife of Robert Harbridge, a butcher, in Grove-terrace, Brompton. The prisoner was in our service, and left on the 13th of July—I missed various articles before she left, but I had not exactly missed these till she had left—I missed one article before she left, which was a black lace veil—I cannot say what month it was in, but my mother was staying with me, and the first night she came she missed her veil—the prisoner did not visit me after she left—these articles are mine.

Cross-examined by MR. PHILLIPS. *Q.* Was William Coupland in your service? *A.* Yes—he left before the prisoner—she left me on the Saturday, and they were married on the Monday—I have seen him in the shop after she left—her name was Sarah Hackland.

ALFRED WALKER. I took the keys of the prisoner's lodgings from her, I went and found some of these articles, and the duplicates of some others.

WILLIAM CHRISTOPHER YOUNG. I am a pawnbroker at Brompton. I produce a number of articles pawned at different times, some in the name of Smith, and some in the name of Coupland—the last I took in was on the 24th of July—I believe the prisoner was the person who pawned them—on the 6th of April, two sheets, and two pillow-cases were pawned, but I did not take them in. NOT GUILTY.

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134. JOHANNA M'DONALD, *alias Margaret Hannen*, was indicted for stealing, on the 12th of November, 1 cloak, value 3*l.*, the goods of Cornelius Donovan, her master.

CORNELIUS DONOVAN. I live in Holywell-street, Strand, and am a wine merchant. I put an advertisement in the paper for a servant—the prisoner came as such, on the 11th of November, and gave a reference to the matron of the Westminster Hospital—I went down in the kitchen about six o'clock and asked her if the matron could be seen then—she said, "Yes"—I went up stairs, and was preparing to go to the hospital, when I heard the hall door close—I went down, and found the prisoner was gone—I missed my cloak, which I had seen safe that morning—this is it—(*looking at it.*

FELIX HILLER (*police-constable E* 122.) I was on duty on the 12th of November, in Regent-street, and took the prisoner in charge for another felony—she had a bundle—I asked what was in it—she said, a cloak that she had bought in Petticoat-lane—I found this cloak in it.

Prisoner. I bought it six months ago in Petticoat-lane.

CORNELIUS DONOVAN. It had been in my possession several years, and there is a particular mark on it—I have not the slightest doubt of it.

GUILTY. Aged 25.—Transported for Seven Years.

135. JOSEPH WILLIAMS was indicted for stealing, on the 22nd of November, 1 jacket, value 6*s.*; 1 waistcoat, value 2*s.*; and 1 pair of trowsers, value 5*s.*; the goods of John Smart.

JOHN SMART. I am a tailor, and live in Castle-street, Whitechapel. I had a jacket, waistcoat, and trowsers hanging up by the door, inside my shop—I saw them safe at half-past ten o'clock, on the 22nd of November, and missed them about half past eleven o'clock—these are them—(*examining some.*)

THOMAS COLLINS. I keep a public-house in Rosemary-lane. I have seen the prisoner several times come to my house with his brother, who is bigger than him—on the 22nd of November, about twelve o'clock, the prisoner was fitting on a suit of clothes in my tap-room—I said, "I doubt you stole them"—he said he had given 12*s.* 6*d.* for them—soon after, he told some person in the tap-room where he took them from—I went to Mr. Smart's, and gave information—the prisoner was taken in my tap-room, in my presence, with the articles—he begged pardon, and said he hoped they would forgive him.

JOHN MADDEN (*police-constable H* 161.) The prisoner was given into my custody, about a quarter past one o'clock on the 22nd—I found these clothes on him.

GUILTY.*** Aged 13.—Transported for Seven Years.—Convict Ship.

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136. JOHN SMITH was indicted for stealing, on the 14th of November, 1 bag, value 1*d.*, and 1 shilling; the property of John Weaver.

GEORGE GILBERT WATSON. I am in the service of Mr. John Weaver, an eating-house keeper in High-Holborn. On the 14th of November I put one shilling into the till, which I had just taken of a customer—there was nothing in that part of the till but a bag—there was some copper in the other part—I shut the till and went into the street, to speak to a person about some repairs which were doing to the house, and on my return the prisoner was leaning over the counter, with the till half open, the bag in his left hand, and the shilling between the thumb and fingers of his right hand—I collared him, and asked what business he had with the bag—he said he did not know—I asked what he did with the shilling—he said, after some hesitation, that he wanted change for a shilling—I gave him into custody.

Cross-examined. *Q.* Is your master here? *A.* No—there was no mark on the shilling, but being no other in the till, I am positive it is the same—it is a shilling much worn—I was not absent more than five or six minutes—I was speaking to a person next door—I did not see the prisoner go in—when I went in his back was towards me—if any one had gone in then, they would not have been served in my absence.

THOMAS STEVENS. I am a carpenter. Mr. Watson came to me, and I went with him to the shop—I saw the prisoner leaning over the counter, and his hand in the till.

Cross-examined. *Q.* How long was the witness with you? *A.* Three or four minutes—I was at work next door—when I took the prisoner he said he wanted change for a shilling—he waited quietly till the policeman came.

WILLIAM BOWYER (*police-constable F* 121.) I took the prisoner—he said, "I only went into the shop to get change for a shilling, and think it hard to be treated in this way."

(The prisoner received a good character.)

GUILTY. Aged 21.—Confined Six Months.

137. HENRY SULLIVAN was indicted for stealing, on the 9th of November, 1 basket, value 2*s*; 1 shawl, value 4*s*.; 1 pair of boots, value 2*s*.; 1 handkerchief, value 1*s*.; 2 gloves, value 6*d*.; and 40 walnuts, value 6*d*.; the goods of Elizabeth Mary Cork.

ELIZABETH MARY CORK. I am single, and live in Jamaica-level, Bermondsey—I keep a stall in Covent-garden. On the 9th of November I had this basket and its contents—I put it under the bench in my stand—I saw it safe between four and five o'clock in the morning—the porter brought it to me again in about half an hour—this property is mine—(*looking at it.*)

GEORGE CLARKE. I am a porter at Covent-garden. I was standing in James-street, and saw the prisoner with this basket—I watched him, and saw him hide it behind a stable-door—I took the basket—there was a book in it, with the name of the owner—I left the basket at the public-house, in care of the bar-man—I took the book out, and went to Mrs. Cork's with the prisoner—and while I was at her stand he got behind, and tried to run off—I pursued, and gave him into custody.

Prisoner. I am not the boy you took it from. *Witness.* Yes, I saw you plain enough.

RICHARD MOORE. I am an officer. I took the prisoner.

Prisoner's Defence. I was going along, and the witness said, "You are the boy that stole the basket"—he did not see me put it down—he took me to the woman, and then I was going away, and he gave me into custody.

GUILTY.* Aged 15.—Transported for Seven Years—Convict Ship.

(*The prisoner had only been discharged from the House of Correction two days for stealing candlesticks.*)

OLD COURT.—*Saturday, November 30th*, 1839.

Second Jury, before Mr. Sergeant Arabin.

138. SARAH NEWMAN was indicted for obtaining 8 lbs. weight of mutton and other articles by false pretences; also for another like offence, to both of which she pleaded

GUILTY.* Aged 17.—Transported for Seven Years.

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139. JAMES MADGET was indicted for assaulting Elizabeth Mills, with intent, &c.; to which he pleaded

GUILTY. Aged 17.—Confined Two Years.

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140. JOHN RADFORD was indicted for obtaining a hat by false pretences; to which he pleaded

GUILTY. Aged 49.—Transported for Seven Years.

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141. EDWARD WILLIAMS was indicted for stealing, on the 22nd of November, 1 handkerchief, value 1*s*., the goods of Philip Hanbury, from his person.

PHILIP HANBURY, ESQ. I am a banker. On Friday evening, the 27th of November, I was in Wych-street, Drury-lane, about twenty-five minutes to eleven o'clock, and felt something at my pocket—I turned round and found my handkerchief in the prisoner's hand—I took hold of him, waited till a gentleman came up, and gave him in charge—this is my handkerchief—(*looking at it.*)

Prisoner. It was not me—two young men pushed me against the gentleman—I saw them take the handkerchief. *Witness.* I saw him with it in his hand.

GUILTY†. Aged 22.—Transported for Ten Years.

142. MARY WILLIAMS was indicted for stealing, on the 21st of November, 3 handkerchiefs, value 8*s.*, the goods of Richard Hudson Telfer.

WILLIAM ABRAHAM SOAR. I am shopman to Richard Hudson Telfer, hosier in New-street, Covent-garden. On the 21st of November, at half-past ten o'clock in the evening, a gentleman bought a handkerchief off a piece, and three remained—while I was engaged in getting him something else, the prisoner came and asked for a pair of socks, and what was the lowest price—I said 6*d.* to get rid of her, as I thought she was not after any good—she had a child with her—I was getting several things for the gentleman, and while I turned my back, she must have taken the handkerchiefs, for I missed them directly the gentleman was gone—the gentleman gave her 6*d.* to purchase a pair of socks, out of charity—she went out—I gave information to the constable who brought her back with them in about five minutes—these are them—(*looking at them.*)

WILLIAM CLARK. I am a policeman—Soar informed me of this, and I found the prisoner in the next street with the handkerchiefs in her hand, in the act of selling them—I found 9*d.* on her.

GUILTY. Aged 28.—Confined Three Months.

Before Mr. Baron Parke.

143. DAVID PIKESLEY was indicted for b———.

GUILTY. Aged 19.—Death Recorded.

144. DAVID PIKESLEY was *again* indicted for b———.

GUILTY, Aged 19.—Death Recorded.

Before Mr. Justice Bosanquet.

145. ELIZABETH PARKER was indicted for stealing, on the 13th of November, at St. Clement Danes, 1 cloak, value 5*l.*; 1 coat, value 1*l.* 10*s.*; 4 waistcoats, value 3*l.*; 2 pairs of trowsers, value 1*l.* 15*s.*; 1 shirt, value 5*s.*; 3 handkerchiefs, value 4*s.*; 1 pair of spectacles, value 12*s.*; 1 eye-glass, value 8*s.*; and 1 pair of bracelets, value 8*s.*; the goods of Charles Molloy Westmacott, in the dwelling-house of Edward Stammers:—also for stealing, on the 9th of October, 1 gown, value 4*l.*; 2 waistcoats, value 2*l.*; 1 cloak, value 1*l.*; and 1 handkerchief, value 8*s.*; the goods of Charles Molloy Westmacott, in the dwelling-house of Edward Stammers:—also for stealing, on the 20th of April, 1 cruet-stand, value 7*s.*; 2 spoons, value 5*s.*; 1 cruet-frame, value 1*l.* 10*s.*; and two curtains, value 8*s.*; the goods of Edward Stammers, her master:—also for stealing, on the 19th of February, 5 blankets, value 1*l.* 13*s.*; 5 decanters, value 1*l.* 2*s.*; 2 tumblers, value 1*s.*; 3 pillows, value 3*s.*; 2 saltcellars, value 1*s.*; 2 curtains, value 3*l.* 12*s.*; 1 quilt, value 5*s.*; 3 sheets, value 3*s.*; 1 bolster, value 5*s.*; 1 spoon, value 10*s.*; 1 watch, value 12*s.*; 2 tablecloths, value 7*s.*; 2 pillow-cases, value 3*s.*; and 1 looking-glass and frame, value 10*s.*; the goods of Edward Stammers, her master: to all of which she pleaded

GUILTY.—Transported for Seven Years on each of the two first indictments.

146. ELIZABETH PARKER was *again* indicted for unlawfully, maliciously, and feloniously setting fire to the dwelling-house of Edward Stammers; Sarah Finch and others being therein.

JOSEPH M'GREGOR. I am a policeman. On the 13th of November I was on duty in the parish of St. Clement Danes, a few minutes before twelve o'clock at night, and observed the prisoner standing at the door of Edward Stammers, No. 100—it is a double house—No. 99 is adjoining to it—in consequence of what she said to me, I went into the house, and went up to the second floor—she opened the door, and I found the room full of smoke—I staid there about half an hour—I had opportunities during that time of looking at different parts of the room—I did not find any part of the house burnt—I found a chair and a chest of drawers, but no part of the house on fire.

HENRY CARTER. I am a fireman to the County Fire-office. I went to this house, No. 100, next morning at eleven o'clock—I went in and examined the room—I found a small portion of the flooring next to the hearth charred, just scorched, or burnt iu a trifling way—I have no doubt it had been on fire—in a red heat, but not in a blaze—I could tell that by the wood being charred and burnt a little—that might possibly have been done previously, by ashes falling on the floor—I cannot say when it was done—it was no depth—if it was a quarter of an inch in the wood, it was as much as it was—I did not examine to see how deep it was.

NOT GUILTY.

Before Mr. Baron Parke.

147. ELLEN BROWN was indicted for unlawfully, maliciously, and feloniously assaulting Mary Ann Stevens, on the 11th of October, and cutting and wounding her in and upon her head, left eyebrow, and left side of her face, with intent to kill and murder her.—2nd COUNT, to maim and disable her.—3rd COUNT, to do her some grievous bodily harm.

MARY ANN STEVENS. I am a widow. I lodged in the same room with the prisoner, in Salmon's-lane, Nelson-court, Limehouse, for about three months—on the afternoon of the 11th of October, she hit me with her closed fist, first on the eye, and then asked me for 6*d*., which she had lent me—I put my hand into my pocket to get it, and she hit me with a quart-pot on my right eye, called me a b— w—, and said she would take my life—she was not intoxicated—she had never told me to go away from the lodging, but she wished me to go—I had four blows with the quart-pot over my head, and one over my eye—it was a pewter-pot—I bled very much, and tried to get away, but she shut the door, and fastened it, and threw myself out of the window—the room is on the ground-floor—after giving me two wounds with the quart-pot, she put her hand on my neck and threw me down on the bed, and struck me twice with the quart-pot while I was on the bed—when I threw myself out of window, she followed me, and hit me as I was going across towards a person's door to save my life—she hit me with her fist when I was out of doors, and *chucked* a bucket full of water alongside of me—the policeman then came to my assistance, and I gave her in charge—Catherine Downey came in at the time she began to *jaw* me, and went out again—she told the prisoner to keep quiet, but she said she would not, she would take my life away—I had not had any quarrel with her, except about the 6*d*.—she did not give me time to give it to her—it was in halfpence—I did not strike her at all, nor

had I done so before this day—she had not demanded the 6*d.* of me before that day—I did owe her 6*d.*—I had no quarrel with her about my having a man in bed with me—she made a charge of that kind, but it was not true, and if I was dying the same minute, I would say the same words—she had quarrelled with me very much the night before about my child who had eaten a bit of meat which was left at dinner.

Edward Thomas Roe. I am a surgeon. On the 11th of October the prosecutrix was brought to the London-hospital, between five and six o'clock in the afternoon—she had several wounds on the left-side of her head, and the upper and back part of her head—they were wounds of a serious description, and were dangerous—there were two on the left-side of the head, of nearly equal size, about an inch and a half long, dividing the flesh from the bone—they were such wounds as might be made with a quart-pot—she is not yet discharged from the hospital—I do not consider her perfectly out of danger now—she was not senseless when she came in, but she seemed stupid—she seemed to have been drinking, but was not in liquor—her breath smelt of liquor.

Catherine Downey. I live near the prisoner—I went to her house on the 11th of October, about a quarter to three o'clock, to ask after her sick child—I heard her ask Stevens for 6*d.*—Stevens said she had not got one—she said, "Let me have it, I pawned the sheet off my bed to get it for you—I must have it"—Stevens put her hand into her pocket, brought out some halfpence, counted 6*d.*, and said, "There it is, and you shan't get it"—the prisoner then got up, and got hold of her hand to get it from her—they were both holding by it—I put the child into the cradle, came out, and saw no more of it till I saw Stevens lifting up the window, and coming out, all over blood—I saw no quart-pot used.

Mary Geary. I saw the prosecutrix falling out of the window—she was all over blood—the blood was flowing from her head, and her clothes were bloody—the police was sent for, and the prisoner was taken into custody—I had previously heard them quarrelling in the house for a long time—I heard the prisoner say to her several times, that she would have her life or her sixpence—the prisoner was not intoxicated.

William Beasley. I was going along Salmon's-lane, Limehouse, on the afternoon of the 11th of October, and saw the prosecutrix—she had blood as low as her waist—none of her features or her clothes could be discerned for blood—I saw the prisoner taken by the policeman—she resisted very much—she was in a great passion, and said he should not take her—I was called on to assist him—I went in, and she was in the act of stabbing the constable with a knife—I laid hold of her by the wrist, and prevented her—she did not appear the least in liquor.

Prisoner. His evidence ought not to be taken—he is a broker—he never saw any thing of the matter—he can say what he likes when he is paid for it. *Witness.* I am a fishmonger—my father is a broker, and I occasionally assist him.

Henry Hutton. I am a policeman. I heard the cry of "Murder," and went up—I found the prosecutrix at the end of the passage or court where the prisoner lives—her clothes were off down to the waist, and completely covered with blood—I could not discern a feature, and the blood was running off down to the ground—the top of her gown was torn down as far as the waist—I went, and took charge of the prisoner—she resisted violently, and locked herself in her room—I forced the door, and called for assistance—she escaped after I got her out, and concealed herself under a

bed in another person's house—when she came out, she seized a knife from under a table—Beasley, who I charged to assist me, caught her by the wrist—she repeated two or three times that she would kill the prosecutrix as soon as she came out—on the 19th of October, after the examination at the hospital, as I was taking her to Clerkenwell prison, she said she was not the least sorry for what she had done, and if she had killed her she should not have been the least sorry for it—she said when she came out she would make her pay her what she owed her—on the Friday previous to the last examination, she said in the cell, two or three times, that she would kill her.

Prisoner's Defence. My husband has been fourteen weeks in the hospital—I have nothing to live on, but what I get myself by washing, and have three children to support—I took in this woman out of charity, and had her for three months—she paid me nothing—I sent her to market, and gave her 2*s.* worth of things—I had lent her some clothes to pawn—she was giving me the money on Monday, I told her to keep it till Friday when I wanted it to take to my husband—at three o'clock I asked her for the 6*d.*—she clapped her hands to her * * *, and told me to *knock it out* —I said I would compel her to give it to me—she said, "I won't give it to you"—I got hold of her hand—she fastened her hand on my head—hit her, and her head came against the door, and that made the two wound —she kept the 6*d.*, and cried out "Murder" and every thing—she had drank something, and bled at the nose—I do not deny hitting her in the nose but nothing else than with my hand—I never said I would take away her life—I was in a passion, certainly.

MARY ANN STEVENS *re-examined.* I used to work in a garden, and sometimes follow the market, for a living. I am certain she struck me with a quart-pot, and threatened to take my life—I did not fall on the edge of the door—I did not strike or pull her at all—I defended the blows off my head.

CATHERINE DOWNEY *re-examined.* I did not see the prosecutrix strike the prisoner at all—I saw them pulling each other about for the 6*d.*, one trying to get it, and the other trying to keep it—I never saw her give her a blow.

GUILTY. Aged 40.—Of an Assault only—Confined Seven Months

Before Mr. Justice Bosanquet.

148. JOHN BIRD was indicted for feloniously breaking and entering the dwelling-house of Louis Kyezor, on the 22nd of November, at St. Martin-in-the-fields, and stealing therein 1 watch, value 2*l.*, the goods of David Myers.

DAVID MYERS. I am a watchmaker and silversmith, and live at No. 389, Strand, in the house of Louis Kyezor, my brother-in-law—he does not live in it—nobody lives there but myself and a lodger on the third floor—I do not rent the house, but carry on the business for my brother-in-law there—it is his property, and the house also—I have the care and charge of all the property to do as I think proper with. On Friday the 22nd of November, I came out of the parlour into the shop, at about half-past five o'clock in the evening—I went to attend to the shop, having called the boy in, to get his tea—when I got into the shop I saw a man's hand through a pane of glass, with a watch in his hand—the glass had been cut by some person about a month back, but that did not make

loose in the least, it was completely firm, and there was no aperture—when I saw the hand through, the bit of glass was taken completely out—the pane is about twenty inches long, it is common glass—the hole was at the upper corner—I instantly ran out, and saw three persons as close as they could stand together—the prisoner, who is the one I perceived with his hand through the hole, gave the right-hand man something, and the prisoner and the man on the left, turned towards Southampton-street, which is only one door from my house—the man on the right crossed the road into the Strand—I followed the prisoner five or six yards from my door, and when in the act of taking hold of him, the policeman was coming up, and I gave him in charge—he was between us, the policeman coming towards him, as I was following him—I had seen the pane of glass safe and perfect within ten minutes, or a quarter of an hour—the watch cost my brother 2*l.* 12*s.* 6*d.*—I did not miss any thing else at the same time, as I had not an opportunity of looking—there are three gas-lights in the shop, by which I could distinguish any body walking on the opposite side of the way even—I saw the prisoner's face distinctly, to know him again, even if he had no jacket on—I have not the slightest doubt of him—I have not found my watch.

Cross-examined by Mr. Horry. *Q.* Are you responsible to your brother-in-law for what you buy and sell? *A.* Most undoubtedly I am—I buy and sell for him as well as myself—it is all one—I am not a shareholder with him—I am supported by him—I take what I think proper out of the till, or do as I think proper with any thing—I give him all the profits—he pays me nothing, but I live in the house—I am maintained from the profits of the shop—I have a few hundreds of my own—I do not take any thing for myself out of the profits—my dinner is sent from his table, and the servant at home gets my breakfast—he is Mr. Kyezor's servant—he allows me to take what money I like from the till, not for my maintenance, but if I wanted money for any use he would not find fault with it—he never goes to the till himself to my knowledge—he takes my word for every thing—I tell him what I do—he would not object to my keeping any of the profits if I pleased—it has not been agreed that I should do that—the stock is put into my possession to do the best I can with—he does not look after me—if I was to make away with 1*l.* or a guinea, and said, "Brother, I have done so and so," he would say, "Very well"—there is no account kept between us—I took possession of the stock nearly twelve months ago—I was to do the best I possibly could for both him and myself, and the family—there is not the least agreement between us—nothing has passed about my taking any share in the business—he allows me to do what I like with the stock, but I never take any of the profits—I sup with him every night, if the weather permits—he is a silversmith and jeweller, and lives in Tottenham-court-road—I buy and sell the stock at times, and sometimes he buys things and sends them to the shop—when I sell them I put the money into the till—he took this as a branch shop, on purpose that I should be able to assist the family—there have never been any losses in this shop—I have never had any bills to make up—I owe nobody a fraction, nor does he—supposing there was a loss I should go to him to make it up—it is a single-fronted shop, and the stock is worth close upon 3000*l.*—a great part of it is in the window, which is nine or ten feet long—the stock consists of plate and watches—the shop-door was open on this night, but not the passage-door—nobody standing at

the door could see me coming from the parlour—there is a very brilliant gas light just opposite the shop—the moment I got out at the shop-door the three men turned round to go away, and the centre one was very quick—I did not catch hold of one of them—there was only a bit of glass removed—it was large enough for me to get my hand through, and take a watch.

WILLIAM PAYNE. I am a policeman. I was on duty on the 22nd of November, about half-past five o'clock in the evening, and coming down Southampton-street I met the prisoner running, and the prosecutor following him—the prosecutor gave him in charge—it was just at the corner, at the second house in Southampton-street—the prisoner was between us—Myers charged him with stealing a watch—the prisoner said nothing—I took him back to the prosecutor's, and searched him, but found nothing on him.

Cross-examined. *Q.* You did not find his hand cut? *A.* I never examined it—the gas was lighted, and it was dusk—the prosecutor's house is in the parish of St. Martin-in-the-fields.

DAVID MYERS (*re-examined.*) I never prosecuted any one before—my brother has—I have no interests in the profits, nor any right or claim on the property—I do it for the family, as I have enough of my own—the house is two doors from Southampton-street—it joins the corner-house—I apprehended the prisoner about ten yards from the door—there are two lights in the window, and one behind the counter—the window lights threw a light on the prisoner's face—the countenance of any body at the window could be discerned—there is a sash inside the window—I should have to look through two squares of glass to see him.

(David Evans, of Tavistock-street, Bethnal-green, gave the prisoner a good character.)

GUILTY. Aged 18.—Transported for Ten Years.

Before Mr. Baron Parke.

150. JOHN HENRY and JAMES TAUNTON were indicted for a robbery on Jabez Poulson, on the 1st of October, at St. John the Evangelist, Westminster, putting him in fear, and taking from his person, and against his will, 1 watch, value 1*l.*; 3 rings, value 1*l.* 5*s.*; 1 sovereign; 1 shilling; 1 sixpence; 2 pence, and 4 halfpence, his property.

Mr. Carrington conducted the Prosecution.

JABEZ POULSON. I live in Whitcombe-street, Leicester-square, at Mr. Saphill's, who married my sister—I am a working jeweller, in the employ of Brown and Kay, manufacturing jewellers, Tavistock-row, and have been nearly eight years in their employ. On Monday, the 30th of September, I was walking to my lodging from Brown and Kay's, between seven and eight o'clock in the evening, I think nearer eight, and saw the prisoner Henry—I stopped to look at some books at a shop in St. Martin's-court, and he came up and remarked on the cheapness of them—I said, they were so—I put the book I had in my hand down, and walked on to Leicester-square—he walked with me as far as my own door, and then wished me good night—he had followed me and entered into conversation—on the evening of the 1st of October I had just come from my own house to go out for a walk after business, about half-past eight o'clock—I was passing down my own street, and at the corner of James-street Heny came up to me and said, "How do you do, sir?"—this was about four houses from my own house—I acknowledged the compliment and walked on—he followed, and entered into conversation with me—I went down

the street towards Charing-cross, and passed on through Charing-cross past the Horse-guards—he still continued walking with me—I kept straight on down the street towards the front of Westminster-abbey, not Parliament-street, but the street on the right hand side—I went on down Dean-street, and when we got down Dean-street, near the corner of Peter-street, he seemed suddenly to recollect himself, and he remarked that a friend and himself were going to open an eating-house, that the men were at work on the premises, and he would go and see how they got on, and would I go with him—I went with him to No. 66, Peter-street, as I have since ascertained, it was about the middle of the street—when we got to the door, he took a key from his pocket and opened the side door in the passage close to the street door—he went in first, I did not follow him immediately—I did not intend to go in, but he turned round and asked me to step in, which I did—the moment I had stepped in, he closed the door and seizing me by the collar, said, "Now you are in my power"—there was a candle burning on a little shelf in the corner in the shop, which was under repair—there were workmen's tools there—I said, "What do you mean?"—he said, "I will show you what I mean; let us see what you have about you"—I struggled with him to get loose—he said, it was of no use, he would call the police, and give me in charge for unnatural practices, if I attempted to make the least noise—he then tore open my waistcoat and trowsers, turned my pockets inside out, and took from my trowsers' pocket 1 sovereign, 1*s.* 6*d.*, and some halfpence—at that moment I heard footsteps in the passage, and a man's voice call out "Henry"—Henry did not answer, and I heard footsteps go to the back of the house, and I saw Taunton throw open a sash-window, and come into the place where we were—I am certain he is the man—Henry was about removing my watch-guard from my neck at the time he came in—it was a black ribbon—Taunton said, "Holloa, Henry, what have you got there?"—Henry replied, "Oh, it is all right, a regular b——"—after that Henry proceeded to take the rings from my fingers—I resisted him rather faintly, I confess, for I was in great trembling and fear—Taunton then said he would fetch in the policeman, and give me in charge—Henry said, "Oh, never mind, let him go, we have got all we can"—he let go of me, and I then made my way into the street, and got home as well as I could.

Q. At the time the property was taken from you, were you or not put in fear by the conduct of the prisoners? *A.* I was, decidedly so—I am quite certain the prisoners are the two persons—I did not give information to the police, from the great dread I had of the charge they threatened to bring againstme if I did—that was the only reason—it was from nothing more than the dislike of having my name mixed up with the imputation.

Cross-examined by MR. PAYNE. *Q.* When did you have Henry taken? *A.* On Wednesday, the 16th—Taunton was taken after that—I was present when he was taken by Cooper—I found him in his shop—it is an eating-house—it is the same place I was at—it was undergoing repair at the time I was there first—all I saw of Taunton, was during the time he came in at the window, and till I got out—I am positive the words Henry used were, "It is all right, a regular b—," they are too fully impressed on my mind to forget them—I am quite positive they were the precise words—I have not strengthened my recollection at all since they were apprehended—I never said it was to that effect, to my recollection—I gave the words repeated by the prisoner—I am quite confident of the words—it was six weeks afterwards that I first gave an account of the words he used—I di

not make a memorandum of them—I am quite certain Taunton said he would give me in charge—I have always been quite sure about that—I was very much confused and agitated—the door of the room could not have been fast, for directly I put my hand against it, it opened outwardly—I did not say he locked the door—I said he closed it—that has always been my opinion—I struggled with Henry before Taunton came in—we did not make much noise, except the noise of our feet—it was after that that Taunton came in at the window—I never saw Taunton from that time till he was taken into custody—he never came to me, nor asked for any thing—I had never seen him before, to my knowledge.

COURT. *Q.* Do you know whether Henry lives in the same place? *A.* I do not know, but I ascertained after he was apprehended, that he lodged at the Horse and Groom public-house in Bedfordbury—there was light enough for Taunton to see what Henry was doing, and he did see it—he was coming in at the window at the time Henry was taking my watch from my fob—he saw him take the rings from my fingers—he took a gold mourning-ring from the little finger of my right-hand, a wedding-ring, and another ring from the little finger of my left-hand—Henry afterwards told me his friend had the money, and he only had what he could make by pledging the watch and rings—he also said he knew what he was doing was very wrong, and he knew very well I could transport him for it, but he did not care for that, he had no friends, nor any character to lose, and he had no trade.

Q. How came you to make this charge afterwards against the prisoners for robbing you at this house? *A.* By his coming to my employer's house, and demanding money—that induced me to make the circumstance known to my employers.

Henry. The witness speaks false—did you not lock the door yourself when you went into the room? *Witness.* Certainly not.

DAVID COOPER. I am a policeman. I took Henry into custody by the advice of my superintendent, on Saturday, the 16th of November—I also went and took Taunton—I found him at No. 66, Great Peter-street—I have known the house for above twelve months—it was open as an eating-house, when I took Taunton—he had opened it about nine weeks—I told Taunton what I took him for—I took him to the station-house in Newway, Westminster—I did not at any time tell him it would be better for him to confess, or worse if he did not—he denied the charge—he said he did not know Mr. Poulson at all—Poulson was with me at the time—I then took Taunton to Bow-street station-house—he then told me he recollected the gentleman, and seeing him at his house with the prisoner Henry, that he heard a noise in the room, and went and tried the door, and found it fast—that he entered at the window, came into the room where Poulson and Henry were, and he said he (Taunton) used threatening words, but he did not say who to—that was all he said—he said nothing more to me about Henry or himself—he did to Mr. Hall.

Cross-examined by MR. PAYNE. *Q.* When you went to him, and told him what you wanted him for, did not he say he was very willing to go with you? *A.* Yes, I did not think of that before—I did not know this house as an eating-house before the Sunday—I knew the house, because I had lived there twelve months ago—I do not know how long it has been an eating-house, but the prisoner said he had kept it about nine weeks—the name of Taunton was up over the window—he denied all knowledge of the charge before the inspector, but at the next station-house he said he recol-

lected him again—he did not say, *but* he did *not* threaten the prosecutor, he said *he* used threatening words, but he did not say whether it was to the witness or the prisoner.

COURT. *Q.* Just recollect what you have said before the Magistrate, that he did not threaten last witness? *A.* He told me he used threatening words, and that I told the clerk at the office.

MR. PAYNE. *Q.* Did he say those threatening words were not to the prosecutor? *A.* He did not say who—I made a memorandum of the conversation in a book, which I have at home—I did not put down the words, only the day of the month, and the hour I apprehended him.

MR. CARRINGTON. *Q.* What parish is Peter-street in? *A.* In the parish of St. John.

JABEZ POULSON *re-examined.* The man whose voice I heard in the house, crying out "Henry," was outside the door, in the passage, I believe —I do not know that he tried to get in at the door—I cannot say for certain whether he did—I heard his voice near the door—I do not know whether the door was fastened in any way, outside or inside—I had no difficulty in getting out.

WILLIAM SAPHILL. I am in the employ of Messrs. Brown and Kay. I saw the prisoner Henry at Messrs. Brown and Kay's on Friday evening, the 15th of November—he inquired for Saphill—I said my name was Saphill.

(*The prisoner Henry, in the course of a very long defence, stated that the prosecutor first accosted him at a picture-shop, went with him to a public-house, where he* (*Henry*) *lodged, and had a pint of ale and some cigars; the prosecutor then requested him to take a walk with him, which he did; he showed him where he lived, and on the following night he again met the prosecutor, by his* (*the prosecutor's*) *appointment, and he treated him with some oysters; he* (*Henry*) *then saying he wished to see the house in Peter-street, where he had lodged, the prosecutor took his arm, and accompanied him there, and not being able to open the door himself, the prosecutor opened it; there was no light in the room; the prosecutor said, "Never mind, I do not want one," but he* (*Henry*) *procured one; the prosecutor then locked the door, and made an improper proposal, and upon his seizing his shirt and threatening to call a policeman, he entreated him to let him go—the prisoner Taunton, who belonged to the house, then came to the door, and inquired what was the matter, but could not get in, as the door was fastened; he came through the window, and wanted to go and call the police, but the prosecutor again imploring to be let go, he* (*Henry*) *at last consented, and he went. He also stated, that he called upon the prosecutor about a week after, for the loan of 1l., which he had promised him; he gave him 1s. 6d., and promised to meet him the following night, and give him a sovereign, which he did, and as soon as he had put it into his pocket, he was taken into custody by the policeman.*)

JABEZ POULSON *re-examined.* The first night I met him was at a book-shop—I did not go with him to any public-house that night—I did not drink any ale, or smoke any cigars with him—I walked with him from the book-shop to my own door, (that is all that passed on the 30th)—I did not appoint to meet him the following night, but he saw me at the corner of James-street, in Whitcombe-street—I walked on alone till he joined me—I was out for a walk—I did not go with him to any oyster-shop—I did not treat him with any oysters before I got to the house in Great Peter-street—we went straight along King-street to Peter-street—we did not stop any where—I had never been in the house, No. 66, Peter-street, before, nor even in the street before.

Q. How came you to walk with a perfect stranger to you? *A.* cannot account for it—I had no object in view—when I got to the hou the street-door was open—I did not open the side-door, nor did I lock —there was a candle already lighted when I went into the room—it w on a little shelf in the corner—nothing whatever of an indecent natu took place between us—my shirt was not out—I never had the key of t door in my hand—the next time I saw the prisoner was on Friday evenin the 15th of November, and when I saw him he told me not to be frightene he only wanted a little money, seeing I was agitated, I suppose—I ga him a shilling and some halfpence, to get rid of him, after he threatened bring up the man from Westminster, who would make me—I do not kno of his ever having been to Mr. Saphill's—I told my master of this the da after he had been to me—I went voluntarily with him—I had no acquaint ance with Taunton before this night.

Henry. *Q.* When I had hold of your shirt, did not you promise m some money? *A.* I did not—it was my trowsers pocket Henry had hol of, not my shirt, the pockets being all turned out—when Taunton cam into the shop Henry was holding me by my pockets turned inside out— did not make a noise, in consequence of the horrid threats made use of— was afraid of the horrid charge—I certainly should have returned with policeman if it had been a common robbery.

MR. PAYNE *called*

ELIZABETH GRIFFIN. I belong to the cook-shop. Taunton was i the concern two months—I knew him before for two years and a half— understood him him to be honest, and was induced to risk money wit him to open the shop—he was acquainted with my husband before h death.

COURT. *Q.* How long had you taken possession of No. 66, Gre Peter-street? *A.* On the 9th of October—it was being fitted up for think a fortnight before—that was done at my expense—Taunton live there a few days before I went—there were none of my goods there on th 30th of September—I cannot potitively say whether Taunton was livin in the house on the 30th—the shop was shut up before I took it—Tau ton superintended the workmen there—he fitted it up himself—there wer lodgers in the upper part of the house at that time—we had the whol house—the lodgers left on the 8th of October—I do not know of an acquaintance between the two prisoners—I have seen Henry at Taunton' lodging before this, but did not know him—I have seen him at the door c his lodging.

(Henry Lee, quill-dresser, No. 19, Greville-street, Hatton-garden; an Emily Smith, widow, No. 23, Guildford-street, Southwark; also deposed t Taunton's good character.)

HENRY—GUILTY. Aged 28.—Transported for Fifteen Years.

TAUNTON—GUILTY. Aged 37.—Judgment Respited.

(*The Jury found that Taunton was aware the robbery was to take place, bu that he did not know that the property was to be taken forcibly from the person.*

First Jury, before Mr. Common Sergeant.

150. JAMES NEWTON was indicted for stealing, on the 6th of No vember, 17lbs. weight of lead, value 3*s.*, the goods of Thomas Abbott an another, his masters.

THOMAS ABBOTT. I am a plumber; I employed the prisoner at house in Carlton-gardens. On the 6th of November, at about fiv

o'clock in the evening, I went there to watch—I waited at the foot of the ladder till the prisoner and another came down to leave work—I requested the prisoner to show me what he had got in his bag, and in it was part of the lead produced, which is mine—he had no business there—he had brought it down from the roof—he was not going to leave the job that night.

Cross-examined by MR. HORRY. Q. Was not one Jones, a plumber, with the prisoner? *A.* Yes, the prisoner was his labourer—Jones produced some lead from his pocket—I sent for a constable, but none came for some time, and I let them both go—we have not seen Jones since—the prisoner called next morning for his wages—he said what he had done was by Jones's direction—the bag and tools were Jones's, not the prisoner's.

BONFIELD BRYANT. I saw Jones put a piece of lead in the bag, and two pieces into his pocket—the bag laid on the lead flat—they were going to leave work that night, and the prisoner brought the bag away—he must have seen Jones put the lead into the bag. NOT GUILTY.

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152. THOMAS SCOTT was indicted for embezzlement.

JOHN NEWMAN. I am a baker, and live in Goswell-street. The prisoner was five weeks in my service—he received money from my customers, which he should pay to me directly he returned—I discharged him on Saturday, the 26th of October—I afterwards went with an officer to him, in Toms-buildings, Somers-town—I said, "I suppose, *Tom*, you know what I have come for?"—he said, "No, master, I do not"—I said, "I think you must"—the officer then spoke to him—if he has received 3*s.* 4*d.* from Mrs. Stacey, of Fann-street, he has not paid it, nor 2*s.* from Pilcher, of Bridgewater-square.

CAROLINE STACEY. I live at Mr. Harper's, in Fann-street, Aldersgate—I paid the prisoner 3*s.* 4*d.* for the prosecutor.

WILLIAM PILCHER. I am a tailor, and live in Bridgewater-square—I paid the prisoner 2*s.* 8*d.* on the 26th of October, for Mr. Newman.

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Six Months.

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152. WILLIAM WOODWARD and MARGARET NOLAN were indicted for stealing, on the 5th of November, 1 pair of stockings, value 1*s.*; 18 sovereigns, and 2 half-crowns, the property of Arthur Hodson, from his person.

ARTHUR HODSON. I am an inmate of West Ham workhouse. On the 5th of November I went to the Green Dragon public-house, Bishopsgate-street, and received 18 sovereigns and 18*s.* 6*d* there, between twelve and one o'clock—I put the sovereigns in a bag in my left hand pocket, and wrapped the silver in a bit of rag, and put it in my right hand pocket—I went into a cook-shop to get a bit of dinner, and met a woman there—I gave her a bit of pudding, and after dinner went to get a pint of beer—I went to Hen-row, Mile-end-road, and at last to Blue-gate-fields—I there found the prisoner Woodward—I wanted a lodging, and asked him for one—I am certain he is the man—I went to his house—my money was in my pocket I am certain when I went there—I went to bed there—I do not know the time—I went to sleep for a short time, and Woodward went down stairs and left me—there was nobody else in the room I was put into at first, but he brought me down from the second floor to the first floor, where there was a fire—I was dressed then—he undressed me—there was a woman in the first-floor room—I said very

little to her—I did not see her hardly—I should know her again—it was not Nolan—I did not know Woodward before, but I had been rambling about, and did not know where to go—between six and seven o'clock in the evening, I believe, I missed my money and asked him for it—he told me he would take care of me and money and all—that was after I had told him I missed it—he then went away—I stopped there a bit, and got a policeman at last—I have never got my money.

Cross-examined by MR. PAYNE. *Q.* Did you go alone to Woodward's house, or did the woman you gave the pudding to go with you? *A.* I fell down against his door, and he came and picked me up—I was the worse for liquor—I did not see the woman I gave the pudding to there—I could see a little—I did not see the female prisoner at all in the house.

GEORGE PAVITT (*police-constable K* 260.) On the night in question I was coming along Back-road about nine o'clock, and heard the two prisoners quarrelling together a very little way from St. George's-fields—I heard Woodward say to Nolan, "Where is that money you have *planted*"—she said something, and then Woodward hit her in the face, and she called, "Police," and I took them both to the station-house—I asked her about the money—she said there was a man at her house lodging there, and Woodward had got nine sovereigns from him—he was present, and said, "I had nine sovereigns, I put them in the drawer, and the drawer was broken open"—I went to the house to see if I could find the prosecutor, but could not—I returned, and Woodward went with me to the house—I went up stairs and found the prosecutor there before the fire, and a woman along with him named Mary Parker—I asked him if he had lost any money—he said, "Yes, eighteen sovereigns"—we searched the house, but could not find the money—Woodward and the prosecutor went down to the station-house together, and Woodward said to him, "Don't make any noise about the money, I will make it up to you"—I returned to the house again—I could not find any money, but I found a pair of stockings, which the prosecutor identified, in a drawer down stairs—the prosecutor said, "That is the man that took my money, he took my money from me"—Woodward said, "I know I did, and I put it in the drawer, but it is gone"—Woodward's house is a lodging-house for sailors—Nolan lives with him as his wife—I went to several places and to a beer-shop in Blue-gate-fields, and asked if any money was left there—they said no—Woodward asked the landlord if his wife had left any money there, he said no—we went to the Angel, he asked if his wife had left any there, they said no—she had bought a bonnet for 1*s.* 6*d.*

Cross-examined. *Q.* Where were you standing when you heard the quarrel? *A.* On the other side of the road—she gave him in charge—the first I heard was Woodward say, "Where is the money?"—Nolan did not speak first—I heard Nolan say to Woodward, "You have robbed me of nine sovereigns which the man left in my care in the house"—that was the first beginning of it, and after that he accused her of it.

COURT. *Q.* Did you hear her say "I have *planted* it?" *A.* Yes.

DANIEL DERRIG. I am a police-sergeant. The prisoners were brought to the station-house—I heard Woodward say to Nolan, "What a pretty mess we shall be in if the old man comes up and says he has lost the eighteen sovereigns that he had this morning"—she afterwards told me that when quarrelling in the street, Woodward had scratched her bosom, and taken five or six shillings from her.

Cross-examined. *Q.* Where did you overhear this conversation, in the

cell? *A.* No, outside in the office—they could see me—they did not speak it openly, they retired to a corner, but I overheard them—I did not draw near to them to hear—they spoke loud enough for me to hear—one was accusing the other, and they were wrangling about it—he was sober—she had been drinking.

George Pavitt (*re-examined.*) I heard Woodward say he had put the money in the drawer, and the drawer was broken open; but it was not broken open at all—he showed me the drawer, I unlocked and examined it—it was not damaged or broken open at all.

Woodward. When you tried the drawer, the top had been wrenched down—this knife was lying on the top—I took it off and put it on the table—the drawer had been opened with that knife. *Witness.* The drawer was shut and locked, and I unlocked it—it did not appear as if a knife had opened it.

Joseph Saunders. I keep an oil and colour shop in High-street, Shadwell. On the night in question, Woodward came to my shop, and bought two shoe brushes and a few trifling articles, which came to 2*s.*—he gave me a half-sovereign.

Daniel Derrig (*re-examined.*) I was before Mr. Broderip, the magistrate, and saw him sign the statement of the prisoners'—(*looking at it*)—this is his hand-writing—it was read over to them—(*read.*)

(*The prisoner Nolan's statement represented that the prosecutor came to their house very much intoxicated, in company with a female with whom he went up stairs; that Woodward saw them up, and afterwards came down, unlocked a drawer and put something in, but what she did not know; he afterwards went out with the female for about two hours, and on his return accused her* (*Nolan*) *of having taken the money from the drawers, of which she was quite innocent, not knowing any thing about it, or what he had put there.*)

(*The prisoner Woodward's statement was that the prosecutor, who was very drunk, gave him his purse, containing 9 sovereigns, 2 half-crowns, 1*s. *6*d.*, and 7*d.* in halfpence, to take care of; that he put it into one of the drawers, which he locked; he then went out to get some supper, and on his return, the prosecutor wanting his money, he found the drawer broken open, and the money gone; he immediately accused Nolan of taking it, and on her denying it, he followed her till he met a policeman, when she was searched, and 4*s.* 6*d.* only found on her; that the female who was in company with the prosecutor had been with him all day; that she had been to a great number of public-houses with him, and had said he had plenty of money about him.*)

Arthur Hodson (*re-examined.*) I cannot exactly say what time it was that Woodward had my money—it was about seven o'clock, or between seven and eight o'clock—he said he would take care of it for me—I am quite sure I did not take out any gold after I received it, before I went to the prisoner's house—I did not want it, for I had some silver in my right-hand pocket, wrapped up in a bit of rag.

Woodward's Defence. When he came to my house, I was standing at the door—a woman picked him up twice—he was tipsy and could not walk—I helped her up with him the third time, and she begged me to bring him into my house to have a cup of tea and put him to bed—she said he was her father—I took him into the house and sat him down—he would not have tea, but she begged me to get him up to bed, which I did

—he could scarcely undress himself or stand—I undressed him—she said she had been with him all the day to different public-houses; he had a good gold bit of money and I need not be afraid of his paying—she showed me a ring which he had bought her for 14*s.*—I said, "Before you go out of the room I wish to see what money he has about him"—it was a good while before he could find any—at last he found a bag in his pockets—he gave it to me, and I shook out 9 sovereigns, 2 half-crowns, 1*s.*, and 7*d.*—I looked at it and said, "It is right enough" and I would take care of it for him—he gave me a half-crown to fetch a pint of rum, which I brought, and he gave us both some—the rest stood in the chair when he awoke—he laid awake about two hours—I came up and looked at him—he looked almost dead—I came down and said, "That man looks very ill indeed, you had better come up and look at him"—the woman said, "No, it is only through drinking hard all day"—I went up afterwards, and asked if he wanted any thing—I said, "Your money is right, down stairs in the bag," and when he found what was in it, he said, "That woman must have taken it"—I put the money in my drawer, and when he asked for it, it was gone—I had several people in the house, down stairs, where the drawers were—I made a *row* about it, and two women went down the Highway—I went to look for a policeman, but could not find any—I inquired at a house if any money had been changed, but could not hear any thing of it—Nolan had 6*s.* 6*d.* in her bosom, and that was all—I have had 120*l.* since the 20th of May, which the female prisoner had left her by relatives, and we laid out 20*l.* in goods—I have been 36 years in the service of King George and William the Fourth—I have only lately come to London from Portsmouth—nothing of the kind ever happened in my house before—we came to London on account of having this money left us, and it is not settled now—it is impossible he could have brought 18 sovereigns into my house when he was along with that woman all day, treating her to the best of every thing.

ARTHUR HODSON *re-examined.* *Q.* Before you went into the room, had you been with any woman? *A.* I saw a woman coming down the street—I had not been with her particularly—I treated her with part of a pint of beer in Mile End-road, but I had not put my hand into the pocket where my money was at all, nor had she.

Woodward. *Q.* Did you not fall asleep in a public-house by the side of her? *A.* No.

WOODWARD—GUILTY. } Judgment Respited.
NOLAN—GUILTY. }

NEW COURT.—*Saturday, November 30th,* 1839.

Sixth Jury, before Mr. Recorder.

153. ROBERT RENNIE was indicted for stealing, on the 11th of November, 1 gown, value 10*s.*, the goods of Martha Jones; to which he pleaded

GUILTY. Aged 26.—Confined Three Months.

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154. ANN RICHARDSON was indicted for stealing, on the 9th of November, 1 shawl, value 5*s.*; 2 gowns, value 1*l.*; and 1 ring, value 14*s.*; the goods of John Williams: 2 shawls, value 15*s.*; 1 gown, value 15*s.*; 2

petticoats, value 4*s.*; 1 handkerchief, value 3*s.*; and 1 necklace, value 1*s.* 6*d.*; the goods of Phœbe Nicholls: to which she pleaded

GUILTY. Aged 18.—Confined Six Months.

155. MARY THORNHILL was indicted for stealing, on the 20th of November, 1 gown, value 15*s.*; 2 caps, value 2*s.*; 1 pair of drawers, value 1*s.*; 1 basket, value 1*s.*; 1 night-gown, value 6*d.*; 2 cups, value 3*d.*; and 4 saucers, value 3*d.*; the goods of Eliza Bishop: to which she pleaded

GUILTY. Aged 25.—Confined Six Months.

156. WILLIAM TURNER was indicted for stealing, on the 21st of November, 1 pair of trowsers, value 20*s.*; 1 pair of shoes, value 8*s.*; and 1 waistcoat, value 2*s.*; the goods of James Hall: to which he pleaded

GUILTY. Aged 19.—Transported for Seven Years.

157. MARY SMITH was indicted for stealing, on the 20th of October, 1 sheet, value 1*s.* 6*d.*; 1 pillow, value 1*s.* 6*d.*; 1 bolster, value 2*s.*; 1 counterpane, value 1*s.* 6*d.*; and 2 blankets, value 2*s.*; the goods of Ann Ayres: also, on the 22nd of November, 1 sheet, value 2*s.*, the goods of Mary Ann Dacosta: to both of which she pleaded

GUILTY. Aged 18.—Confined Six Months.

158. JOHN WINTER, DAVID PRICE, and RICHARD CAREY, were indicted for stealing, on the 7th of November, 1 coat, value 10*s.*; and 1 cloak, value 10*s.*; the goods of Thomas Haines: and that Carey had been before convicted of felony.

JOHN EATON (*police-constable S* 193.) On the afternoon of the 7th of November, I was in Tottenham Court-road, in plain clothes—I saw the three prisoners in company together—I walked down Howland-street, and to the corner of John-street—there was a gig standing at a door in Howland-street—I saw Price and Carey go towards the gig—Winter stood at the corner of John-street, two houses off, and had a view of what the other men did—they stood near the gig for two or three minutes—a cart came along which hid them from me for a moment, and as soon as it had passed, I saw Carey come away from the gig with something in his hand—he went into John-street, and gave it to Winter, Carey and Price were close together, near the gig—they went away together, and Winter went down John-street with it—I went after Winter—Price and Carey went in a different direction—when he got to the corner of John-street, at the corner of Pitt-street, he gave a whistle—I saw him put the coat on his back—I followed him to Upper John-street, stopped him, and asked what he was going to do with the coat—he said he was going to take it to the public-house—a man had asked him to carry it for him—I asked what public-house—he said he could not tell me the sign, and I took him to the station-house—I afterwards saw Price at the corner of Heaton-court, Crawford-street—he went up Heaton-Court, and hallooed up at one of the windows—Carey came down into the court to Crawford-street—they went under a door-way there, and pulled off their coats—I followed them into the Edgeware-road, till I saw another constable—I took them both—Price said, "What do you want of me?"—I said, "For the coat you took out of the gig"—he said he knew nothing about it—I took them to the station-house.

Cross-examined by MR. HORRY. *Q.* Was any one else passing the gig at the same time? *A.* I did not see any one—this happened at half-past four o'clock.

THOMAS HAINES. I am a publican. This coat is mine—I lost it from a gig which was standing at a door in Howland-street, between four and five o'clock—the officer did not give me notice till the following morning—I also lost a cloak, which has not been found—I was in the house about four minutes.

Winter's Defence. A young fellow met me, and asked what road I was going—I said, "To Paddington"—he said he was going that way, and lent me his coat—he said, "You may put it on."

SAMUEL MOYES (*police-constable D* 45.) I produce a certificate of Cary's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

Price's Defence. I know nothing about it.

WINTER—GUILTY. Aged 24.
PRICE—GUILTY. Aged 20.
CAREY—GUILTY. Aged 22.
} Transported for Seven Years.

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159. LOUIS JEAN LE MAINE was indicted for stealing, on the 17th of September, 41 forks, value 22*l.*; 22 spoons, value 6*l.* 15*s.*; 1 napkin, value 2*s.*; 2 towels, value 2*s.*; and 3 knives, value 2*s.* 6*d.*; the goods of Thomas Metcalfe.

MR. BALLANTINE *conducted the Prosecution.*

ASHLEY JOHN WALDRON. I am butler to Thomas Metcalfe, Esq., of No. 24, Fitzroy-square, and have been so for sixteen years; I have the charge of his plate. I have known the prisoner fifteen or sixteen years—he is a schoolmaster, and a teacher of languages—on the 9th of March last I employed him to teach me French, and he was teaching another person in the house reading, writing, and arithmetic—I used to take my French lessons in general in the butler's pantry—the plate we had in daily use was kept in a drawer in the pantry, and during the day that drawer was not locked—the prisoner was there twice a-week—between May and September, several articles of plate were missing—on the 7th of November, Stannard made a communication to me while I was in the kitchen, and in consequence of that I requested the prisoner to walk up stairs—I said to him, "Le Maine, you have been taking my master's property"—he said, "Do you suppose I would do such a thing?"—I said I was sorry to suppose it, but from the information I had, I was obliged to think so—he said, "If you suspect me, search me"—after a fork had been found on him, I begged him to confess that he had taken the things, and what had become of them, so that we might be able to get them back again, and put them in their place—I said if he would tell me where they were, that we could get them back, and nothing further should be said about it—I placed 4*l.* into his hand, to go to a shop to get some of the property back—I appointed a friend to go with him.

Cross-examined by MR. DOANE. *Q.* Do you know that he had been some time in the service of the Rev. Mr. St. Aubin? *A.* I have heard so—and he was in another service fifteen or sixteen years—he has some children, I have seen three of them—I do not know that he was in distress at this time—I advanced him 4*l.* on the 7th of November, to get back this property—he was taken in about ten days afterwards—4*l.* would not have redeemed the whole of the property—my friend brought back two forks from the shop the prisoner went to.

GEORGE STANNARD. I am footman to Mr. Metcalfe, and have been so for

three years. On the 7th of November I was in the butler's pantry, the prisoner came in while I was there—I was learning arithmetic of him—I had my back turned at the window, cleaning the lamps, and heard the forks rattle in the tray—I made a communication to Waldron.

ROBERT MARCHANT. I am a silversmith, and live in Oxford-street. I know the prisoner—I first saw him on the 31st of May—on that day he brought two forks to my shop, and asked me to buy them—from their having a crest on them, I said, "It is not usual to buy articles with a crest on them"—he said, "Why?"—I said, "For fear they should be stolen"—he said, "I will satisfy you," and he gave me his card, "M. Le Maine, teacher of languages, No. 74, Wardour-street"—I said that was quite sufficient—I put the forks into the scale, and bought them for 12*s.* 6*d.*—I put them in the window and sold them—I have here two tea-spoons, which I bought on the 7th of August, but I cannot say whether I bought them of the prisoner—here is a plated fork, but I do not know when it was brought, or whether it was brought by the prisoner—the plate had a talbot's head on it.

COURT. *Q.* Is there any thing left that you know you had of the prisoner? *A.* No, the two forks I speak of were silver, they were desert-forks—I gave 4*s.* 9*d.* an ounce for them—that is the price of silver—I sold several of them at 4*s.* 10½*d.* to melt, as they would not sell in the window, being old-fashioned.

ISAAC JACOBSON. I am a silversmith, and live at No. 322, and No. 126, Oxford-street. I know the prisoner—I produce one plated fork, and one silver fork, which I bought of him three weeks ago, I cannot say to the day—they had the talbot's head on them—I bought one dessert fork, which had a similar head on it, and I bought six forks which had no engraving on them—the prisoner afterwards came, and said had I got the things he sold me—I said there were two in the window—he went away—Mason came and said, would I take the money back, and give him the forks, which I did.

GEORGE METCALFE. I am shopman to Mr. Robert Mack, of No. 123, Oxford-street. I produce a silver fork, which I purchased of Mr. Marchant—it has not a head on it.

Cross-examined. *Q.* Can you recollect when you bought this fork? *A.* I cannot recollect, I think it is about a month since—we have many forks—I put this fork in the window with the others—there is no mark on it—it is second-hand—I can only distinguish this from others by its having the maker's name, and we have no other of that name—we always notice the name—I am quite sure, I looked at these initials at the time I bought it—we might have had others of the same maker's name at that time, and have sold them since.

WILLIAM HOOKER (*police-constable D* 130.) On the 17th of November I went to the prisoner's lodgings, No. 74, Wardour-street—I found him at home, and told him I was an officer and I had a warrant against him for felony—he said, "It is what I expected," and turning to Waldron, who was with me, he said, "But it is not according to promise"—I said I must search him—I found on him a sovereign and a half in gold, and some silver and copper—I took him to the station-house, and went back to his house—I found a number of linen articles, and one napkin marked T. M. No. 15, three knives and one fork, and one knife has a crest on it—on the fol-

lowing morning the prisoner said it was a bad job, and he wished me to communicate it to his son.

ASHLEY JOHN WALDRON *re-examined.* This napkin is my master's, and this knife with the crest on it is my master's—these knives are all my master's—they have been in my possession since May.

WILLIAM MASON. I am a hatter, and live in Carburton-street. I know the prisoner from seeing him with Waldron—I was present on the 7th of October when the prisoner was searched—I went to Jacobson's shop in Oxford-street with the prisoner—I found there two forks, one silver and one plated—they had the crest on them—the prisoner saw them—he did not make any remark on them—I purchased them of Jacobson by Waldron's wish—Jacobson said he got them from the prisoner, in his presence and the prisoner did not deny it—he took me to Jacobson's—I went to Marchant's, but the prisoner would not go in with me.

GUILTY of stealing the napkin, the knives, and two forks.

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160. LOUIS JEAN LE MAINE was *again* indicted for stealing, on the 7th of November, 1 fork, value 6*s.*, the goods of Thomas Metcalfe.

MR. BALLANTINE *conducted the Prosecution.*

GEORGE STANNARD. I am footman to Mr. Thomas Metcalfe. On the 7th of November, the prisoner was in the butler's pantry—I heard the plate jingle in the basket—there had been eleven forks in the basket—I made a communication to Waldron.

ASHLEY JOHN WALDRON. I am butler to Mr. Thomas Metcalfe. On the 7th of November, in consequence of Stannard's communication, I charged the prisoner with stealing my master's property—after some time he pulled the leg of his trowsers up, and produced this fork from between his boot and his leg—it is a plated fork, and has my master's crest on it.

WILLIAM MASON. I counted the forks in the basket before any were taken, and there were eleven—I counted them afterwards, and there were only ten.

GUILTY. Aged 48.—Transported for Seven Years.

(There were two other indictments against the prisoner.)

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161. WILLIAM THOROGOOD was indicted for stealing, on the 19th of November, a quarter of a pound of cigars, value 2*s.* 6*d.*, the goods of Henry James Jones; and that he had been before convicted of felony.

HENRY JAMES JONES. I keep a tobacconist's shop in St. John's Square, Clerkenwell. On the evening of the 19th of November, I was in the parlour behind the shop—I saw the prisoner in the shop with his hand in the window—he took a bundle of cigars, which weighed about four ounces—there were about 40 in the bundle—I charge 2*s.* 6*d.* for them—he left the shop with them, and I followed, calling "Stop thief"—the prisoner was taken in the next street, and brought back to my shop—on the way back I found the cigars scattered on the footpath in the court which he had run through, in the same direction in which he had run—these are the cigars—they were tied up in a bundle, with a ribbon—the tie has not been found.

JOHN ARCHER (*police-constable G* 150.) I was in St. John-street, and heard a cry of "stop thief"—I stopped the prisoner, who was running—found the cigars in the court through which the prisoner ran.

EDWARD PARFITT. I am a jeweller, and live in Clerkenwell Close. I saw the prisoner in the prosecutor's shop, about six o'clock in the evening—I saw him put his hand in the window and take the cigars away—I immediately followed him, crying "Stop thief"—the policeman took him—I followed the prisoner up Jerusalem Court—he turned and threw down something, and when we came back with the policeman, I pointed out the spot, and the cigars were discovered scattered on the stones.

JOHN WITHERFORD (*police-constable A* 22.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person who was then tried and convicted.

GUILTY. Aged 19.—Transported for Seven Years.

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162. GEORGE SMITH was indicted for stealing, on the 8th of September, 1 boiler, value 16*s.*; 32 lbs. weight of beef, value 17*s.*; 8 lbs. weight of mutton, value 10*s.* 4*d.*; 7 lbs. weight of ham, value 7*s.* 6*d.*; and 1 coat, value 5*s.*, the goods of Thomas Baker.

THOMAS BAKER. I am a butcher, and live in Burton-street, Walworth. On Saturday, the 7th of September, the prisoner came to town in the same wagon with me from Barnet fair—I met him there—he assisted me on my arrival in town in taking my things into Favell's livery-yard at Islington—I did not allow him to remove any of these things afterwards—I missed an iron boiler and some joints of meat, and a coat—the boiler contained beef, mutton, and ham—he had taken these things there the night before—I missed them the next day.

Prisoner. I assisted you at Barnet fair in building your booth, and to get away without paying your rent—you were obliged to put your things in a coal wagon—I went to Favell's, and asked permission to leave them till next morning, as my own property, and next morning I fetched them with an intent of coming to your house, but on the way I met a person, and got intoxicated, and whether that person took them or not, I cannot say. *Witness.* I had not run away—I brought the things in a coal wagon—the prisoner was not a partner with me in any way—we did not mention any name when the things were left, only he assisted me in taking them—it was his thought to take them there.

JOHN ALBAN. I am ostler at Favell's yard. On the Saturday night after Barnet fair, Baker and the prisoner brought a number of things there, and left them—on the following morning the prisoner came, and said he came from Mr. Baker, who was with him when he left the things—I got the things, and lifted the boiler and its contents on his back, and he went away—I did not see the coat—Baker's name was not mentioned when the things were left.

JURY. *Q.* Did you know Baker? *A.* No—I was at the top of the yard, and he asked me if I could accommodate them with a place, as the coal-wagon could not take them any farther.

JOHN LLOYD (*police-constable M* 184.) I took the prisoner on the 15th, and found a gaming-cloth, a box, and three dice on him.

GUILTY. Aged 28.—*Recommended to mercy by the Jury.*—Confined Six Months.

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163. JOHN KELWAY was indicted for stealing, on the 14th of November, 7lbs. weight of tobacco, value 28*s.*; and ½lb. weight of cigars, value 6*s.*; the goods of William Stockbridge.—2nd COUNT, stating them to be the goods of Abraham Ketchfield.

ELIZABETH STOCKBRIDGE. I am wife of William Stockbridge, a tobacconist, in Upper Whitecross-street. On the 14th of November I sent a parcel, containing tobacco and cigars, to the Flower-pot public-house, in Bishopsgate-street, to be sent to a gentleman at Southgate—I afterwards saw the same parcel in the possession of a constable—the direction on it is in my husband's hand-writing.

ABRAHAM KETCHFIELD. I drive the Southgate coach, and live at Southgate. I received a parcel for Mr. Fletcher, a grocer at Southgate—it was put into the boot—I afterwards saw it in the possession of a constable—I had taken it in the morning, but the coach did not pass the place, and at the end of my journey I told the man that Mr. Fletcher would send for it—he did not, and I was bringing it back to London, not aware that it was in the boot, the boot was fastened with an iron catch and key, but not locked.

GEORGE KEMP (*police-constable M* 82.) On Thursday night, the 14th of November, about six o'clock, I was on duty in the Kingsland-road. I saw the prisoner and another boy in company—I watched them about twenty minutes—I saw the Southgate coach pass towards town—they ran after the coach, and got up behind—I followed as far as I could, but could not overtake the coach—I thought I saw them get down, and go down a turning—I went another way, and met the prisoner with this parcel—I asked what he had got—he said, some linen that he was going to take to Hackney-road, and then he said he had it from Mr. Rogers, a linen-draper in Chiswell-street—I took him to the station-house, and found it contained tobacco and cigars—it was tied up in this handkerchief, which does not belong to the parcel.

Prisoner's Defence. As I was coming along I saw the parcel lying down—I took it up, and was going to take it home, to see if I could find an owner.

GUILTY. Aged 16.—Transported for Seven Years.

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164. ELIZABETH COOK was indicted for stealing, on the 26th of November, 1 pewter pot, value 1*s.* 6*d.*, the goods of Thomas Ing.

REBECCA KATES. I am wife of Charles Kates, and live in Golden-terrace, Vauxhall-bridge. On the 26th of November, I saw the prisoner take a pewter pot off the rails of No. 14—my husband went after her.

JOHN JEANES (*police-constable B* 142.) I saw the prisoner in Rochester-row—I stopped her—she produced this quart pot from under her shawl—she said distress drove her to it, and it was the first she ever stole.

CHARLES OAKLEY. I am servant to Thomas Ing, who keeps the Red Pavilion public-house, Vauxhall-bridge-road—this pot is his—I left it with some beer that day, at No. 14.

GUILTY. Aged 18.—Confined One Week.

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165. BRIDGET STAPLETON was indicted for stealing, on the 26th of November, 1 piece of wood, value 5*s.*, the goods of [illegible].

JOHN WESTCOTT. I am a plasterer, and live in Euston-square, town. I was passing Euston-square, on the 26th of November, between five and six o'clock, and saw the prisoner with a piece of wood under her apron, coming from [illegible]—I followed her, and gave notice to [illegible].

FRANCIS MANSER (*police-constable*) I was in Euston-street, and the prisoner was brought to me with this piece of wood—she said she [illegible]

GEORGE KINGMAN WHEELER. I am foreman to Mr. Thomas Cubitt, and superintended the buildings in Euston-square—I know this piece of wood by the number that is on it, and the sash which it belonged to—it was in the passage of the house the door of which was not fixed.

Prisoner's Defence. I picked it up in Russell-square—I had not been in any of these empty houses.

GUILTY. Aged 50.—Confined Six Months.

166. JAMES READING was indicted for stealing, on the 14th of November, 7½lbs. of cheese, value 4*s.* 6*d.*, the goods of Jacob Hurren.

JACOB HURREN. I am a cheesemonger, and live in Worship-street. On the night of the 14th of November, I was in a parlour adjoining my shop—I saw some person come in, and on getting up, I found he was gone—I missed a piece of cheese—I saw a person running towards Windmill-street, and pursued him—my cheese was brought back—the prisoner was stopped—he begged to be forgiven, and said it was his first offence.

WILLIAM COTTER. I live in Red Lion-court, Saffron-hill. I was looking at a picture-shop in Worship-street, and heard a cry of, "Stop thief"—I turned, and saw the prisoner running along close by me—a gentleman laid hold of him, and the prisoner dropped the cheese about twenty yards from Mr. Hurren's shop—I took it to the shop.

JOSEPH THOMSON. I live in Gee-street, Goswell-street. I was in Windmill-street—I heard a cry of "Stop thief"—the prisoner was running towards me—I seized, and detained him till the policeman came and took him.

GEORGE SHERRIFF (*police-constable G* 180.) I found the prisoner in the custody of Thomson—I took him to the shop—he said it was his first offence, and he hoped the prosecutor would forgive him—I found a sixpence and 4½*d.* on him, and a box of lucifer-matches.

Cross-examined by MR. CLARKSON. *Q.* Was the sixpence a bad one? *A.* No—I do not know that there were two letters on it.

(The prisoner received a good character.)

GUILTY. Aged 17.—*Recommended to mercy.*—Confined One Month.

167. CHARLES DELAFORCE was indicted for stealing, on the 16th of November, 1 coat, value 15*s.*, the goods of Charles Saffrey.

CHARLES SAFFREY. I keep the Sluice House public-house at Hornsey. On the 16th of November, I left my coat in a cart opposite a shop in High-street, Islington—I was absent four or five minutes—on my return I saw the prisoner and another boy with the coat between them, at the side of the cart—they appeared to be feeling in the pockets—I took it from them—I am sure the prisoner had hold of it—I took him to the station-house—he denied that he had taken it—there was nothing in the pockets.

JOHN FAGAN (*police-constable N* 19.) I took the prisoner—he said the other boy took the coat.

Prisoner's Defence. The prosecutor came and said, "You have stolen my coat"—I replied I had not.

(The prisoner received a good character.)

GUILTY. Aged 17.—Confined Two Months.

168. ANN EDWARDS was indicted for stealing, on the 26th of No-

vember, 1 blanket, value 8*s.*; and 1 sheet, value 2*s.*; the goods of William Cockerell.

WILLIAM COCKERELL. I am a general-dealer, and live in New-Pye-street, Westminster—I rent No. 4, which I let out in lodgings. I employed the prisoner to look after my property and the lodgers—she slept there—I missed a sheet from her bed, and a blanket from another bed—I asked her where they were—she said they were all right—I gave her into custody—some duplicates were found on her, two of which were for my property—my wife had absconded on Sunday night, and taken with her 60*l.*—I made this discovery on the Tuesday after.

Prisoner. I asked you to lend me 2*s.* on the Friday morning. *Witness.* You asked me for 10*s.*, and I said I could not lend money in that manner.

THOMAS ROWLAND. I live at Mr. Williams's, a pawnbroker, in Great Chapel-street, Westminster. I have a sheet and blanket pawned in the names of Mary Roberts and Mary Johnson.

DENNIS DEVINE (*police-constable B* 61.) I took the prisoner. I asked if she had any duplicates—she said she had not—I found two of these articles—she said she was authorised by the prosecutor's wife to pawn them.

WILLIAM COCKERELL *re-examined.* She had been employed by me upwards of a month—I do not think it probable my wife would have authorised her to take the things—I think she was a little in the conspiracy with her—a female lodger went off with my wife. NOT GUILTY.

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169. WILLIAM EDWARDS was indicted for stealing, on the 12th of November, 1 spoon, value 4*s.*, the goods of Henry Pope and another, his masters: and DYONESIUS TREGEAR, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

HENRY POPE. I am a stationer, and live in Chancery-lane. I have a partner—Edwards was in my employ—I lost a spoon on the 12th of November—this is it—(*looking at it.*)

Cross-examined by MR. FLOWER. *Q.* Are you sure it is yours? *A.* It bears our initials, and is marked like the others that we have.

ANDREW DOWN. I am in my sixteenth year, and am errand-boy to Mr. Harrison, of Drury-lane. I live in Cross-court, Broad-court, Long-Acre—I was sitting at the door of my master's house, and saw the prisoner Tregear passing with a gentleman—he came across the way—I asked him who that was across the way, if that was his father—he said, no, it was a gentleman that he had been to sell a spoon to, that Edwards gave him—Edwards came up, and told Tregear to run away—he said no, he should go home to his father, and take the silversmith to his father—I called Edwards back, and asked where he had got the spoon—he said he had taken it from his master—he then went away—Edwards came to me after that when I was shutting up my master's shop, and told me Tregear was taken into custody.

Cross-examined by MR. DOANE. *Q.* Had you known Tregear? *A.* Yes—we used to live neighbours—when Edwards told Tregear to run away, he said he would not—he asked Tregear if it was all right, and Tregear said he did not know.

GEORGE TYLER. I live in Holywell-street, Strand, and am a watch-maker. On the 12th of November Tregear brought this spoon to my shop—he offered it for sale and said it belonged to his father—I detained it, and said if his father would come he should have it—he returned with

note—I said I would go with him to his father, and as we were going he told me he would not be a minute—he went across and spoke to Andrew Down—I waited for him, and then went with him to No. 19, Prince's-street, Drury-lane—he told me to go up stairs to the second floor and there I should find his father, as he wanted to go into the yard—I said I would wait for him—I then went with him up one pair of stairs—he refused to go any higher, and I gave him into custody.

Cross-examined by MR. FLOWER. *Q.* When he crossed the road did you keep an eye on him? *A.* Yes—I did not see any one come up to him—I think if Edwards had come up and spoken to him I should have seen him—I was watching Tregear, considering he was in my custody.

GEORGE MILLER (*police-constable F* 26.) On the 14th of November Tregear was given into my custody, and this spoon—I apprehended Edwards at his master's in Chancery-lane the next day—he told me he had done a very bad thing—that he had taken the spoon, it was his master's, and he was very sorry for it, but Tregear had persuaded him.

Cross-examined by MR. FLOWER. *Q.* Are you sure that these were the words he used? *A.* Yes—they were words that struck me to be something like a confession—to the best of my recollection they were the words—I think I can be positive they were.

COURT. *Q.* Did you say so before the Magistrate? *A.* I think I did.

(The prisoners received good characters.)

EDWARDS—GUILTY. Aged 14.
TREGEAR—GUILTY. Aged 15. } *Recommended to mercy.*

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170. FRANCIS GEVAUX and WILLIAM FRANCIS were indicted for stealing, on the 15th of November, 4lbs. weight of beef, value 2*s.*; the goods of Mary Guthrie.

MARY GUTHRIE. I am a widow, and keep a butcher's-shop in Brunswick-street, Blackwall. On the 15th of November, about six o'clock in the evening, I went up stairs—the shop door was shut, but not locked—I came down in about two minutes and missed two pieces of meat from the window—the door had been pushed open.

Cross-examined by MR. DOANE. *Q.* Was it fastened with a latch? *A.* No, a lock, but a push would open it.

JOHN WILLIAM TILBURY. I live in Globe-yard, Blackwall. I was in Brunswick-street about six o'clock in the evening—I saw the prisoners there with a cart with onions—they stopped the cart opposite Mrs. Guthrie's shop—they went to her shop with two bunches of onions in each hand—Gevaux pushed the door open—they both went in and Gevaux brought out something under his coat—they went to the cart, lifted up a sack, and put it in.

Cross-examined by MR. PAYNE. *Q.* Who lifted the sack up? *A.* Gevaux—he got into the cart, and then covered it over with the sack.

CHARLES HAGAR (*police-constable K* 271.) A little after six o'clock on the night of the 15th of November I went in pursuit of two men with a cart of onions—I saw the two prisoners with a cart in High-street, Poplar—I said I wanted to look in their cart, and Francis turned the tail-board down, and I saw the meat under the sack—I then said I wanted him—he first said the cart was his, and then he said it was his brother's—I walked a few yards down the street with them, and then Gevaux said he would not go any further—I got assistance and took them—Francis then

said, "I did not take any meat"—at the station-house Gevaux said he saw it on the ground, at the step of a door, and a dog gnawing it.

Cross-examined by MR. PAYNE. *Q.* Did you say to Francis, "How did you come by that meat in your cart?" *A.* Yes, and he said he did not take it—it was folded in the sack—there were 4lbs. of it.

(The prisoners received good characters.)

GEVAUX—GUILTY. Aged 20.
FRANCIS—GUILTY. Aged 10. } Confined One Month.

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171. MARGARET KENNEDY was indicted for stealing, on the 23rd of November, 1 wine-glass, value 10*d.*, the goods of John Cooper.

JOHN COOPER. I keep a public-house in High-street, Islington. On the 23rd of November the prisoner was there, about twelve o'clock—I missed a glass—she was stopped, and the glass found on her—this is it.

JAMES FOX (*police-constable N* 196.) I stopped the prisoner in Liverpool-road, about thirty or forty yards from the prosecutor's—I asked if she had a glass belonging to Mr. Cooper—she said she had not—I put my hand to her bosom, and found the glass concealed—this is it.

Prisoner. My husband was drunk—we had had three half-quarterns of rum—I followed him out with a glass full in my hand. *Witness.* I saw no husband—she was walking up the road.

GUILTY. Aged 50.—Confined One Month.

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172. GEORGE CARTER was indicted for stealing, on the 19th of November, 8lbs. of bacon, value 3*s.*, the goods of James Hodges.

JAMES HODGES. I am a grocer, and live in Park-street, Dorset-square. I lost a hock of bacon and another piece from inside my shop on the night of the 19th of November.

JAMES CLOWTING (*police-constable D* 156.) On the night of the 19th of November I was on duty in Boston-street about seven o'clock—I saw the prisoner with this hock of bacon covered with a piece of black silk—I stopped him and asked him what he had got—he said, a piece of bacon which he bought at a shop in the street below—I asked him to come and show me—he came with me about 100 yards—he then threw down the bacon and ran away—I called after him, and saw him stopped—I brought him back—he said another boy took it, and gave it him to carry home.

Prisoner. A boy that was with me said, "If you will carry this a little way I will give you a few halfpence," and just as I turned the corner of Boston-street I met the policeman—the boy said, "Tell him I bought it," and then he ran away. *Witness.* I saw another boy walking five or six yards before him, but I did not see him have any thing to do with him—as we were going to the station-house the prisoner said he could show me where the boy lived, but he did not know his name—he did not say any thing about what was to be done with the bacon.

JAMES HODGES. This is part of my bacon—there was another piece taken.

GUILTY. Aged 13.—Confined One Month.

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173. ELIZABETH SMITH was indicted for stealing, on the 22nd of November, 1 dead fowl, value 2*s.* 6*d.*, the goods of Thomas Moger.

HENRY ELLIS. I am shopman to Thomas Moger, of Whitecross-street, a cheesemonger. On the 22nd of November, a little before twelve o'clock, the prisoner came up to the window, and took a fowl from the stall-board—I ran out and laid hold of her—she dropped it, and I took it up—she had

got a little way past the door, and was carrying it—it belonged to my master.

THOMAS CHOWN (*police-constable G* 134.) I received charge of the prisoner—I asked why she took the fowl—she said some woman took it, and gave it to her.

Prisoner. I did not take it.

HENRY ELLIS *re-examined.* I am certain she took it.

GUILTY. Aged 16.—Confined Fourteen Days.

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174. ELIZABETH HANNAH TUFF and CHARLOTTE HARRIET TUFF were indicted for stealing, on the 26th of November, 1 shawl, value 11*s.*, the goods of Charles Ade and others.

JOHN DANIEL JEFFCOAT. I am shopman to Mr. Charles Ade and his partners, linen-drapers, in Oxford-street. On the evening of the 26th of November, the prisoner E. H. Tuff came to the shop and asked for a quarter of a yard of print—I served her, and she paid me 2*d.* for it—one of my employers took her down to the end of the shop and gave her a few pieces for patch-work, which were found on her—as she was leaving I observed she had something in her pinafore—I followed her—she turned round Charles-street, and was there joining the other prisoner, whom I had first seen two or three yards from our shop, where she could command a view of our shop—they joined, and walked together to Charles-street, and there E. H. Tuff took from her pinafore a worsted shawl, which she folded, and put round the other prisoner's shoulders, and the other pulled it to—I took them back to the shop—they both attempted to escape—this is the shawl—it is ours—it is worth 11*s.*—it has our private mark on it, and was taken from the middle of the shop.

THOMAS BURNE (*police-constable F* 140.) I was called in, and took the prisoners—I found on Charlotte Harriet Tuff a pot of anchovy paste, a piece of Saxony cloth, and a locket, which we have found no owner for.

E. H. TUFF—GUILTY. Aged 12.—Confined Six Months.

C. H. TUFF—GUILTY. Aged 16.—Transported for Seven Years—Penitentiary.

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175. JOHN HUNT and JOHN SAVAGE were indicted for stealing, on the 23rd of November, 1 black pudding, value 6*d.*, the goods of George Richards.

WILLIAM LAWRENCE. I live with Mr. Stacey, a fishmonger, in Grosvenor-row, Pimlico. On the 23rd of November, I saw Savage at the corner of Mr. Richards's shop, and Hunt was standing facing my master's, about four yards from Savage—I saw Savage take a black pudding from a plate at Mr. Richards's shop and give it to Hunt—they went away together—I ran after them and took the pudding from Hunt—I brought him back.

ELLEN RICHARDS. I am the sister of George Richards, a pork-butcher, in Grosvenor-row, Pimlico. I saw the prisoners outside the window—I gave Hunt in charge—this pudding belongs to my brother—it is worth about sixpence.

WILLIAM WISDOM (*police-constable B* 108.) I took Hunt—I told him what he was charged with—he said he had received it, but Savage had taken it—I afterwards took Savage—he said, "I took it and gave it to Hunt."

HUNT—GUILTY. Aged 12. } Confined One Month.
*SAVAGE—GUILTY. Aged 10. }

* *See page* 134.

Fifth Jury, before Mr. Sergeant Arabin.

176. WILLIAM CHEFFERS was indicted for embezzlement; to which he pleaded

GUILTY.—Confined Three Months.

177. ELIZABETH BULL and ROSETTA STOLLERY were indicted for stealing, on the 20th of November, 8 shillings, the monies of John Langin.

JOHN LANGIN. I am a Smithfield drover. On Tuesday, the 19th of November, I met the prisoners (I had seen Bull before)—I gave them something to drink at Cow-cross—I had ten shillings loose in my pocket—I spent some of it in treating them—we then went to another house in Holborn—they asked me there to treat them again, and I did to six pennyworth more rum—I had then 8*s.* left—Bull then asked me if I would allow her to wrap up my money in a bit of rag—I gave it her, and saw her wrap up some money, which I thought was mine, and I replaced it in my pocket—we then walked as far as the end of George-street, St. Giles's, and on leaving them there I found I had seven farthings and one halfpenny, in place of my 8*s.*—I immediately ran back to the end of George-street, and round the corner I saw them actually dividing the money—I accused Bull of giving me seven farthings and a halfpenny in place of my 8*s.*—she said, "I wrapped it up and gave it you"—she ran across the street—I called the policeman and gave her into custody—I then ran after Stollery, who had run away—she was taken—six shillings and a halfpenny were found on her, and two shillings on Bull.

Bull. When you saw me first you asked me for a bundle you had left at the soup shop or else in Farringdon-street—Stollery saw a man with a bundle outside—she asked him where he got it—he said he picked it up, and she said, "I know a poor fellow who has lost it"—he gave it her—she brought it in, and there was a shirt and a handkerchief in it, and you said it had cost you eight pots of beer to get it. *Witness.* No—I said it had cost me one pot—Stollery brought the things in.

Stollery. I did not have any of your money—I stood aside when you went with this woman, and was to give her 2*s.*—you left us at the corner, and told us not to go away. *Witness.* I deny all that—I did not strike them—I gave them in custody, and Stollery was in the act of swallowing the money when she was taken.

JOHN WELLS. I am a policeman. About half-past one o'clock in the morning of the 20th of November I heard a cry of "Police" in Broad-street, St. Giles's—I ran and found the prosecutor and the prisoners—he said they had robbed him of 8*s.*—I saw Stollery running across the road—I took her and said, "Where is the man's money?"—she said she knew nothing of it—I put my hand up to her throat, and she spat out two shillings and a halfpenny—I kept my hand to her mouth till we got to the station-house, and then found four shillings more in her mouth.

GEORGE DOWNER. I am a policeman. I took Bull—she had only 2*s.*

Stollery's Defence. The money I had was my own—my husband works very hard in Thames-street—I know nothing about the prosecutor's money.

BULL—GUILTY. Aged 26.
STOLLERY—GUILTY. Aged 28. } Transported for Seven Years.

178. WILLIAM LAWRENCE was indicted for stealing, on the 21st

of November, 17 yards of carpet, value 3*l*., the goods of Peter Graham and another; to which he pleaded

GUILTY. Aged 23.—Confined Three Months.

179. WILLIAM HUSH BAKER was indicted for stealing, on the 19th of November, 29lbs. weight of lead, value 5*s*., the goods of Andrew Mann, his master.

WILLIAM RICHARDS. I am foreman to Andrew Mann, a general dealer, who keeps the Windsor Castle public-house at Pimlico. The prisoner was in his employ as a plumber—this lead was taken from a house—the prisoner had access to it—when he left work on the 19th of November I suspected him, and asked him if he had not got something that did not belong to him—he denied it—I took him back to the house and found this lead concealed in the waistband of his trowsers—here is 29lbs. of it—I have compared it with some lead on our premises, and it had been cut from it.

Cross-examined by MR. PHILLIPS. *Q*. Have you any private mark on it? *A*. I have on the piece it was compared with—I have not had any quarrel with the prisoner—I never told Mr. Reece that I would give him a *lift*.

MR. PHILLIPS *called*

JAMES REECE. I am the prisoner's father-in-law—I know Richards, I have heard him express himself hostilely towards the prisoner, I have heard him say that if he could he would give him a *lift*.

COURT. *Q*. How long ago is that? *A*. It may be three weeks—I believe they had not had any quarrel except about the time of their coming to work in the morning—the time for plumbers is seven o'clock, and the foreman would insist on his coming at six o'clock.

JURY to WILLIAM RICHARDS. *Q*. Has not Mr. Mann a great number of men? *A*. Yes, they go on his premises to take goods to work—the prisoner was about sixty yards from the Windsor Castle public-house—it was on Tuesday—I did not see my master till the next morning, and he wished me to give him in charge—I did not take him up till the Saturday after.

COURT. *Q*. Was he not regularly on the premises after the Tuesday? *A*. I did not see him—I was not on the premises. NOT GUILTY.

180. MICHAEL HODGES was indicted for stealing, on the 19th of November, 1 watch, value £1 15*s*., the goods of Edward Clark; and BENJAMIN PETTIGREE, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

EDWARD CLARK. I live in Punderson-place, Bethnal-green. The prisoner Hodges lives next door to me, his mother keeps a green-grocer's shop—I had my watch safe on the 19th of November, I did not miss it till the 26th—it had been in the drawer in my parlour—Hodges had access to my house—I did not see him after I lost the watch till he was before the Magistrate—I found part of the watch at the station-house.

JOHN MIDDLEDITCH. I am a watch-maker. On the 19th of November, Pettigree came and offered the broken plate and case of this watch for sale, he gave his name, "John Pettigree, 5, Rhode-alley, Brick-lane"—he said he had found it—I said the plate of it was battered—he said he had bitten it to ascertain if it was gold—I detained him.

THOMAS COOK. I am a policeman. I was called in by Mr. Middleditch, who produced this case of the watch and part of the plate—I took

Pettigree to the station-house, and found on him part of the works of the watch—he said that *Mike* Hodges gave it to him and he was outside—I went out and he pointed Hodges out to me, Hodges ran away—I went and took him, and brought him back—Pettigree said in his presence that he gave it him—Hodges did not deny it, but said he picked it up in Bethnal-green-road.

HODGES*—GUILTY. Aged 13.—Transported for Seven Years—Convict-ship.

PETTIGREE—GUILTY. Aged 16.—Whipped and discharged.

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181. CHARLES BARTLETT was indicted for stealing, on the 20th of November, 1 5*l.* Bank-note; the property of Benjamin Lucraft, from his person.—2nd COUNT, calling it a half of a 5*l.* note.

BENJAMIN LUCRAFT. I am a cabinet-maker, and live in Mansfield-street, Kingsland-road. On the 20th of November, I was at the Dun Horse public-house, Kingsland-road, about half-past ten o'clock at night, I had two 5*l.* Bank-notes in my pocket—I called for a pipe of tobacco, and took one of the 5*l.* notes from my pocket in mistake, thinking it was a bit of paper—I broke it in two, and gave one part of it to the boy to go to the fire to get me a light—he did so, and I could not light my pipe with it—I then gave him the other part of the note, he took that to the fire, and then he said it was part of a 5*l.* note—I directly put my hand to my pocket, and found I had taken the note in mistake—I took the part of the note and gave it to a man named Reynolds—he saw what number it was, and gave it to me again—I was looking to see the number, and the prisoner who was sitting there came across the room and said, "I can read, I can tell you the number"—he made a grasp at the note, took it out of my hand, and put it into his pocket—I took hold of him and there was a noise—the landlord came in and sent for an officer—I gave the prisoner into custody—the note has not been found.

Cross-examined by MR. CHAMBERS. *Q.* The prisoner was almost as tipsy as you, was he not? *A.* I think he had been drinking—it was the upper part of the note that was left—I tore it lengthways—the part that was left had not the large "five" on it—I am sure it was one of my 5*l.*—I took notice of the number after the boy brought it back.

WILLIAM PARNELL. I am the pot-boy—the prosecutor gave me a piece of paper to light his pipe with—I gave him a light, but before he had lighted his pipe, the paper was consumed—he then gave me another piece of paper—I took it to the fire, and saw it was a note—I took it back, and gave it to the prosecutor—he showed it to Mr. Reynolds, who gave it him back, and then the prisoner came and snatched it out of his hand.

Cross-examined. *Q.* You do not know whether it was a real note or a *flash* note? *A.* I do not—I saw the picture at the top of it, and that led me to look at it—I took it back, and Mr. Reynolds took the number of it—the prosecutor was rather intoxicated—the prisoner did not run away, he sat down by the prosecutor after he had taken hold of him.

JOHN BLYTHE. I was at the Dun Horse public-house—the prosecutor gave Parnell a piece of paper to light his pipe—he took it to the fire, and saw what it was—I saw the number on the note—the prosecutor gave it to Reynolds, who looked at it and gave it him back—the prisoner came and snatched it, and put it into his pocket—they sent for an officer—they found some pieces of paper on the prisoner, but no note—there were five men and a woman and child in the room—the prisoner was a little *fresh.*

THOMAS PETER REYNOLDS. I was at the Dun Horse public-house—I saw the boy give the prosecutor back a piece of paper, which was the top of a note—I asked to look at it—it was No. 29499—the prosecutor then took it again—the prisoner came and snatched it from him, and put it in one of his pockets—I advised him to give it up, supposing he did it from a joke—the prosecutor took hold of him—there was a man and a woman very near the prisoner at the time—I believe the prisoner was drunk—I had seen him there two or three times before, and he was a well conducted man.

NOT GUILTY.

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182. WILLIAM WRIGHT was indicted for stealing, on the 16th of November, 1 pair of stirrups, value 4*s.*, and 1 pair of straps, value 3*s.*, the goods of Robert Chayards.

WILLIAM BALL. I am in the service of Robert Chayards, who lives at Westminster, and keeps a livery-stable—the prisoner has been there occasionally to see a person who works in the yard—I saw him there on the 6th of November—I was in the loft, but he did not know that I was there—I saw him take these stirrups and leathers from a saddle—he was walking away with them when he was stopped by the officer, and these articles found in his pocket—they are my master's—we had lost things repeatedly before, which caused me to watch.

JOHN UNDERWOOD. I am a policeman. I took the prisoner, and found these things on him.

GUILTY. Aged 30.—Confined Three Months.

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183. JAMES MORTON was indicted for stealing, on the 15th of November, 1 weight, value 1*s.* 6*d.*, the property of Richard Warren Dyer.

RICHARD WARREN DYER. I keep a grocer's shop in Mary-street, Stepney. On the 15th of November, about half-past five o'clock, the prisoner entered my shop under the pretence of purchasing a halfpenny-worth of string—I showed him several sorts, and no kind seemed to suit—while I turned my back to get some, he put his hand in my weight box, and took out the brass pound weight—he went out, and joined two other boys—I followed him to several other shops—a shopkeeper detained him—I stepped over and took him—I do not know what became of the weight—the other two boys had gone off—while the prisoner was in my shop, the other two, who were outside, kept saying, "Thicker, thinner," and so on, and the prisoner said, "D—n the string altogether, it won't do."

HENRY SHEPPARD. I am a policeman. I took the prisoner—the weight has not been found.

Prisoner's Defence. The string was not thick enough—about twenty minutes after I went to another shop, and there they had not any thick enough—I said, "I will keep the halfpenny till I get another"—then this man came and took me.

RICHARD WARREN DYER *re-examined.* I saw him take the weight—he passed it to the others who were at the door—I should have taken him then, but I wished to take the others—he passed the weight while I was turning to get the string—my quarter of a pound scales were on the counter—he took the beam and rattled it, then dropped the beam, took the weight, and passed it out.

GUILTY.* Aged 13.—Transported for Seven Years—Convict Ship.

184. JAMES STACEY and SAMUEL WINFIELD were indicted for stealing, on the 8th of November, 21 tame ducks, price 26*s.*, the property of John Brown; to which

STACEY † pleaded GUILTY. Aged 52.—Transported for Seven Years.

JAMES LONG. I am servant to John Brown, on Harrow-hill—I saw his ducks all secure on the 7th of November, about half-past five o'clock—I locked them up in the duck-house, in the farm-yard—the yard is paled all round, and the duck-house was locked—I went next morning, about half-past six o'clock; the duck-house was broken open, and 21 ducks gone—there was a duck and a drake which I knew well and can swear to—I saw them again about half-past ten o'clock, and knew them—the prisoners are labourers, and live about a mile and a half from us—I traced the foot-steps of two men from the main road to the duck-house and back again—a sack had been taken over the pales and left a mark—here are the heads and feathers of the two ducks that I can swear to—(*examining them.*)

THOMAS DUGGAN. I am a horse-patrol—I heard of this, and went to Stacey's house—I found the two prisoners sitting by the fire eating herrings—I said I wanted them for sheep-stealing—Stacey said, "You are welcome to search my house"—I went to the bed-room door, and saw 15 ducks tied in bunches and hung up—I said to Stacey, "Where did you get these geese?" (which I thought they were)—he said, "They are not geese"—I then found they were ducks—he said he had bought them at Brentford, but he did not know the person he bought them of—I said, "Should you know him again?"—he said, "I don't know that I should"—I also found a shoulder of mutton and some fat on a shelf—there have been several sheep lost in the neighbourhood—I then handcuffed the prisoners and brought away the ducks—I sent for Long, and he identified them.

WILLIAM MOORE. I am a potato dealer—I keep a horse and cart, and live at Sudbury—I saw the two prisoners come out of Winfield's house, about half-past twelve o'clock in the morning of the 8th of November, and saw them come back again from Mr. Brown's way about half-past one o'clock—Winfield had got a heavy load on his shoulder—when they came right opposite my door, I went out and spoke to them—I first judged the load to be a sheep, but when they came to me I saw it was not a sheep, but could not swear what it was—it was in a sack.

WINFIELD—NOT GUILTY.

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185. MARY CACKET was indicted for stealing, on the 25th of November, 1 box, value 2*d.*; 4 sovereigns; 2 half-crowns: 8 shillings; and six sixpences; the property of Michael Keating, from his person.

MICHAEL KEATING. I am a seaman, and lodge in King-street, Tower-hill. On the evening of the 25th of November, I had been paid off from the *Hercules*, Queen's ship, at Sheerness, and took 6*l.* 10*s.*—I came to London and went to the White Swan public-house, between nine and ten o'clock that evening—the prisoner came in, I had never seen her before—she asked me for something to drink—I said I wanted nothing to do with her; but she stopped and I told her she might drink out of my pot—I drank rather too freely, and all I remember is, that I found myself next morning in the watch-house, my tin case was gone, and my sovereigns which had been in it.

WILLIAM GLAZIER. I am a policeman. I saw the prisoner disputing with a *cab*-man about his fare, about two o'clock in the morning—the *cab*-man demanded 1*s.*—the prisoner put her hand into her bosom, and said she had lost it—I heard something jink in her bosom—I asked her what it was—she said it was his discharge (pointing to the prosecutor who was drunk in the *cab*, and asleep)—I took from her this tin-box, and found it contained three sovereigns and a seaman's discharge—I took her to the station-house, and she was asked by the sergeant if she had any more—she denied that she had, and said he had given it her to take care of—she was told she would be searched—she then said she had five shillings—she took down her stockings, and two half-crowns and a shilling dropped from her.

Prisoner's Defence. We had been drinking in several houses—he gave me the tin-box to take care of—I did not know that there was any gold in it—the silver was my own—I put it into my stocking because I had no stays on. NOT GUILTY.

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186. THOMAS JONES was indicted for stealing, on the 26th of November, 1 screen, value 10*s.*, the goods of William Jackson and another.

WILLIAM JACKSON. I live in John-street, Golden-square. On the 26th of November I met the prisoner coming out of the house with this screen—I went in and spoke to my sister, I then followed the prisoner, and asked him about the screen—he at first said it was his own, and then, that a man gave him a pot of beer to carry it to repair—this screen is mine and my brother's.

Prisoner's Defence. A man gave me a pot of beer to take it to No. 24, Wild-street.

GUILTY. Aged 34.—*Recommended to mercy.*—Confined One Month.

OLD COURT.—*Monday, December 2nd*, 1839.

Third Jury, before Mr. Recorder.

187. THOMAS GYLES was indicted for stealing, on the 11th of November, 1 seal, value 2*l.*, the goods of Sarah Cordwell.

SARAH CORDWELL. I keep a pawnbroker's shop in Exmouth-street, Clerkenwell. On the morning of the 11th of November the prisoner came and bought a waistcoat for 4*s.* 3*d.*—I left him in the shop while I got some paper to wrap it up in, and on returning, gave him the waistcoat—as he went to the door, I looked at the window, and missed a solid gold seal, worth 2*l.*—I saw him in Easton-street in about half-an-hour, and asked him if he had bought a waistcoat of me—he said "Yes"—I said, "I have missed a seal, and have reason to believe you have got it"—he said, "I have not"—I laid hold of him—a great struggle ensued, and he dragged me through a passage into a yard, and into a stable—I there saw him throw the seal from him—he struck me several times, but I kept my hold—a mob collected, and he got from me—I afterwards went to the stable with the constable, who found the seal in my presence—I found the prisoner afterwards at work at his master's, who keeps a coalshed.

JOSEPH GREENGRASS (*police-constable G* 90.) The prosecutrix gave the prisoner into my custody—I conveyed him to the station-house—I went with her to the stable, and found the seal wrapped up in a bit of rag

in a corner of the stable, under some hay—I met the prisoner in Easton-street, about twenty minutes after ten o'clock, and took him.

(*Property produced and sworn to.*)

GUILTY. Aged 19.—Confined Six Months.

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188. MARY HARRISON was indicted for stealing, on the 19th of November, 2 pewter-pots, value 2*s.*, the goods of Richard Ford Jenkins.

EDWARD TIMSON STORR. I am a plumber, and live at No. 4, Little St. James-street, Westminster. A little before eight o'clock in the morning, on the 19th of November, I left my house, crossed over the road, and saw the prisoner stooping down on the step of my door, as if tying her shoe—she had a handkerchief in her hand, which she threw over a quart-pot which stood at the door, and went away with it—I followed, and asked her what she had in her basket—she said she had nothing—I found the quart-pot covered over with a handkerchief, with the name of Jenkins on it—I took her to his house, which is close by.

Prisoner. I was taking it home to the first public-house. *Witness.* She had passed the public-house, and was going towards the Park—I could not be mistaken in her—I never lost sight of her at all.

WILLIAM LATHAM (*police-constable C* 130.) I received charge of the prisoner at Mr. Jenkins's house, and took her to the station-house—I found two pots in her pocket, and on in her basket—one belonging to Mr. Jenkins, and two to another publican.

JOHN MOORE. I am in the employ of Richard Ford Jenkins, a publican, in Little St. James-street. This quart and pint-pot are his—the prisoner is a perfect stranger.

Prisoner's Defence. I did not intend to steal it.

GUILTY.* Confined Six Months.

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189. WILLIAM SAUNDERS was indicted for stealing, on the 15th of November, 2 printed books, value 2*s.* 6*d.*, the goods of Thomas Frego.

THOMAS FREGO. I am a bookseller, and live in Charlotte-street, Fitzroy-square. On the 14th of November, I had two printed books safe in my shop, and missed them on the 16th—these are them—(*produced*)—I did not miss them till the policeman produced them—they were taken on the 15th.

FRANCIS FRYER (*police-sergeant E* 15.) I stopped the prisoner in Bedford-street, Tottenham-court-road, on Friday, the 15th of November, at three o'clock in the afternoon, about two or three hundred yards from the prosecutor's—I found these two books concealed under his coat—he said he was going to sell them for a man who stood at the corner of Percy-street at the time, but I had seen him cross from that corner with two boys behind him, and as I stopped him the two boys ran away—there was no man there at all.

Prisoner. There were no boys with me—the policeman did not go to look for the man, he only turned his head. *Witness.* I had seen him before, and seen the corner of the street, and am certain he had not been in communication with any one. NOT GUILTY.

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190. JOSEPH SMITH was indicted for stealing, on the 19th of November, 3 pewter pots, value 2*s.* 6*d.*, the goods of John Bradford.

JOHN LANGHAM. I am a pot-boy, in the service of George Bradford, of

the Sun and Punch-bowl public-house, High Holborn. On the morning of the 19th of November, I was cleaning up the tap-room, and the prisoner came in with another person—there were a great many pots before the tap-room fire—I saw the prisoner talking to the other man, and then go out—I suspected, and followed him to Newton-street—when he saw me he ran away—I ran after him, stopped him, and asked if he had any pots—he said he had not—I asked him to let me look at his hat—he was very loath to let me—I took it off, and found a quart-pot in it, and in his pockets two pint-pots—he said, "Pray let me go this time."

Prisoner. There was a gentleman in the tap-room, reading the newspaper—I said, "Let me look at the paper, I wish to see an advertisement"—I saw the witness peeping into the tap-room—I went out, and the gentleman came out, and opposite Southampton-street, he gave me the quart and one pint-pot. *Witness.* The prisoner came out first—I went after him, and while I was following him, the other ran away with more pots than the prisoner had.

JOHN WOODYER. I am a policeman. I was sent for to the Sun and Punch-bowl public-house, and found the prisoner there—he said, "I had but two pots."

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Three Months.

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191. GEORGE WEBB, THOMAS ANDREW USHER, and JOHN SAVAGE were indicted for feloniously breaking and entering the dwelling-house of Charles Wilks Williamson, on the 22nd of November, at St. George's, Hanover-square, and stealing therein 25 cannons, value 12*s.*, and 1 toy watch, value 1*s.*, his goods.

CHARLES WILKS WILLIAMSON. I keep a brush and turnery shop in Grosvenor-row, Pimlico, in the parish of St. George, Hanover-square; I occupy the whole house. I examined my shop-window on Saturday morning, the 23rd of November, between seven and eight o'clock, and found a square of glass broken, and twenty-five toy cannons, and one toy watch taken from it—there was a sufficient aperture to admit a boy's hand—seven of the cannons were iron, and eighteen brass—they were quite close to the glass.

CHARLES CHISLETT. I live in Lower Sloane-street, with Mr. Carter; I know Usher and Savage. On Friday evening I met them and Webb, who I did not know before, and a boy named M'Kee, in Lower George-street—we went up Grosvenor-row together, and looked in at Mr. Williamson's shop—Webb asked for a knife—Savage gave it to him, and he cut the putty out, broke the glass with his thumb, put his hand into the window, took out some cannons, and put them into his pocket—Savage then took out some, and they ran away into Union-court—I did not see Usher put his hand in—he was looking in at the window—I followed them—Usher went home—he had some cannons—I do not know who gave them to him—I ran after the prisoners and M'Kee to Union-court, and said I would tell—Webb said, "Tell," and then he gave me a cannon, and Savage gave me a cannon, and they gave M'Kee a cannon a-piece—Savage then said, "Let us come and hide them in White-stiles"—they went through the George public-house—I went with them, and M'Kee gave me his cannons, and went home—Savage dug one hole, and I dug the other—he put some cannons into the hole, and I threw down mine into the hole, and covered them over—I gave one of the brass cannons to Wells the same

evening—I saw the constable next morning, and pointed out to him where the cannons were—some were found there—I went to Webb's house, and found a big cannon under the water-butt—I went to Usher's first, and found him at home—he said at first that he did not have any thing, and then he said he did, and pulled some cannons out of his pocket—there was a watch on the mantel-piece, and his mother tried to hide it—the policeman had come, and asked me where the cannons were, and I told him.

Savage. He came and called me, and said he knew where there were some cannons, and he put his hand into the window himself.

SAMUEL M'KEE. I live in Turks-row. On Friday evening, the 22nd of November, I saw Webb and Chislett in George-street—we went to Mr. Williamson's shop—Webb asked Savage for a knife—he scraped the putty off the window, and Usher broke it—Webb took some cannons out, and Savage took a large one out—Usher looked on—I did not see the watch taken out—Savage gave me one cannon and Webb gave me another—I gave them both to Chislett directly they gave them to me—I did not go to bury them—I went straight home—I did not tell of their breaking the window—I knew the prisoners before, except Webb.

JOHN BARMAN. I live in White Lion-place, Chelsea. On Friday night, the 22nd of November, I saw Usher by our door—he asked me to buy a cannon, which I did, and was to pay him on Saturday night—he said he picked it up by the barracks—my father and I took it to the officer next morning.

JAMES BRADLEY. I am a policeman. I apprehended Webb on Saturday, the 23rd—I told him the charge—he denied it—I was about to search him, and he threw a small brass cannon on the floor—he said the other prisoners who are now in custody were all together—I went and apprehended Chislett and charged him with it—he denied it at first, but afterwards said there was a quantity of cannons buried near White-stile—he went and took them out of the ground—I went to Usher—he denied it, but I found three cannons in his pocket, and while I was searching him, his mother shifted a toy watch off the mantel-piece—Chislett said she had put it under the water-but—I found it there—Usher said they were all together.

WILLIAM WELLS. I live in Lower Sloane-street. I met Savage, Webb, and Chislett on Friday evening, about a quarter after eight o'clock—I knew them before—they gave me a cannon each—I did not know till next morning where they got them—I *chucked* them away, because I was afraid I should get into trouble about them.

(*Property produced and sworn to.*)

(The prisoners received good characters.)

WEBB—GUILTY. Aged 11 } *Recommended to mercy.*—Confined
USHER—GUILTY. Aged 10 } One Month.

* SAVAGE—GUILTY. Aged 10.—Confined Two Months.

* *See page* 125.

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192. JAMES CASEY and GEORGE WELCH were indicted for burglariously breaking into and entering the dwelling house of Charles Ryan, about the hour of two in the night of the 22nd of November, at St. John, Wapping, with intent to steal, and stealing therein 2 pairs of boots, value 10*s.* 6*d.*; 1 hat, value 2*s.* 6*d.*; and 1 handkerchief, value 3*d.*; his property.

CHARLES RYAN. I am a labourer, and live in Cooper's-row, Lower-East-Smithfield, in the parish of St. John, Wapping. I rent the house—

about two o'clock on Saturday morning, the 22nd of November, my attention was called to the house by a man passing by—I got up, and found the two prisoners in his custody in the front yard of my house—he was a seafaring man, I do not know his name—he is not here—he kept them there till I got down—I saw a hat, two pairs of boots, and a handkerchief lying in the yard near the prisoners—I asked them how they came there at that hour—they made no answer—I shut the gate and sent for a constable—when I went to bed at ten o'clock the night before I saw the articles safe at the foot of the bed where I sleep—I fastened my room door with a latch—I did not lock it—there was a spring lock on it—it could be opened outside by turning the handle—there was no force used to that door—the door of the house was locked—there is a wall round the yard—a person getting over the wall could not open the street door without pulling the lock back—it had a small lock—it opened by turning the handle—it was not locked with a key—it was a latch—it could be opened outside by the latch—I have known Welch's father twelve years—he lives next door to me—he is a very honest man—I found the key of the kitchen door in the yard, which was in my bed-room over night, lying on the window—it opened my kitchen, but that was not disturbed at all.

JAMES RUDDIPATH. I am a policeman. On the night of the 22nd of November I was called in, and the two prisoners were given into my custody—I found an oyster knife, a handkerchief, and three snuff-boxes on them—the hat and two pairs of boots stood in the yard—I found the handkerchief on Welch—he had no shoes on, and when I returned, I found his shoes in the adjoining yard—I gave them to him at the police-office—he said he lived next door.

(*Property produced and sworn to.*)

CASEY—GUILTY. Aged 10.
WELCH—GUILTY. Aged 10.

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193. JAMES CASEY and GEORGE WELCH were *again* indicted for burglariously breaking and entering the dwelling-house of John Henry Robson, about the hour of nine in the night of the 22nd of November, at the liberty of the Tower, with intent to steal, and stealing therein, 32 boxes of matches, value 2*s*., and 3 snuff-boxes, value 4*s*., his goods.

JOHN HENRY ROBSON. I am a tobacconist, and live in Postern-row, Tower-hill. On Friday night, the 22nd of November, about a quarter before ten o'clock, I noticed a piece of glass broken in a pane in my shop-window, which was safe at half-past nine o'clock—it had been puttied about six months—the glass was taken out, and three snuff-boxes and thirty boxes of lucifer-matches taken—my house is in the liberty of the Tower—I have the shop, parlour, and two bed-rooms—the house is divided into two shops—the landlord does not live there.

JAMES RUDDIPATH. I am a policeman. I apprehended the prisoners at two o'clock in the morning—I found two snuff-boxes on Casey, and a snuff-box and oyster-knife on Welch—they said they had found them opposite St. Katherine Dock-gates—I found a few lucifer-matches on Casey, I think.

JOHN HENRY ROBSON *re-examined*. These are part of the articles I lost—one portion of the square of glass was cut out, sufficiently to admit two hands.

Welch's Defence. We did not take them.
CASEY—GUILTY. Aged 10. } Transported for Ten Years—
WELCH—GUILTY. Aged 10. } Convict Ship.

194. WILLIAM LEWIS was indicted for feloniously breaking and entering the dwelling-house of Ann Hazlewood, on the 11th of November, at St. Pancras, and stealing therein two paintings and frames, value 10*s.*; 11 shirts, value 3*l.*; 4 petticoats, value 12*s.*; 3 shifts, value 9*s.*; 4 collars, value 4*s.*; 2 table-cloths, value 6*s.*; 1 toilet-cover, value 1*s.*; 1 basket, value 9*d.*; and 1 habit-shirt, value 3*s*; her goods: and CECILIA LEWIS, *alias Johnson;* and JEMIMA DORSETT, for feloniously receiving the said goods, well knowing them to have been stolen; against the Statute, &c.

ANN HAZLEWOOD. I live at No. 4, Milton-place, Euston-square, St. Pancras. I rent the two parlours—the landlord does not live in the house, nor any body belonging to him. On the 11th of November, at about a quarter to nine o'clock at night, I was down in my wash-house, and a person called my attention to the street-door being open—I had left it shut at seven o'clock, and left all the articles stated safe in the parlour—I had not locked the door, but closed it after me—it would not open without turning the handle—when I came up I missed all the articles—the linen was in a basket, wet, having just been washed.

ROBERT MOORE. I live in the same house with the prosecutrix—I left the house about a quarter to eight o'clock, shut the street-door after me, and tried it outside—it was fast—I returned about half-past eight o'clock, and found the street-door open—I went down to the prosecutrix and told her—I staid three or four minutes in the passage—I saw nobody, and then I closed the door—the prosecutrix came up, and missed her things.

GEORGE COLLIER (*police-constable E* 38.) On Monday evening, the 11th of October, soon after nine o'clock, I was with Sergeant Pocock, near Cromer-street, and saw a man go into a house there with a basket on his shoulder, it was not the male prisoner—I had noticed Jemima Dorsett, for nearly an hour before the man came, watching at the street-door of No. 31, Cromer-street, looking out at the door, up and down the street—it was about ten minutes after nine o'clock when the man went in with the basket on his shoulder, or head—he held it with both hands—the prisoner Dorsett spoke to him, and both went into the house together—it is full half-a-mile from the prosecutrix's—the man came out in about half-a-minute, and crossed directly over to me and Pocock—we both ran away, and when we got down some steps into a court, Pocock called out, "George, come back, it is no thoroughfare"—we went there to conceal ourselves—we returned in a few minutes, and saw the man Dorsett, who is not in custody, standing talking at the same door with Jemima Dorsett and another man—he said, "I heard Pocock's voice, I can swear to it: I heard him say, 'George, come back, it is no thoroughfare;' I know Pocock's voice; it was his voice; it is *no go;* they think I have got *swag*, but they shan't have it;'"—Dorsett must have heard this—he ran up Cromer-street, leaving Jemima Dorsett, and she went in-doors, into the same house—we made the best of our way to Maiden-lane, Battle-bridge, and saw the prisoner Dorsett pass us with a large bundle under her cloak—we watched her to Ashby-street, Somerstown, (we went to Battle-bridge, suspecting they would come there)—she

knocked at the door in Ashby-street, and went up stairs—she came out in about five minutes—I stopped her, and asked what she had done with the bundle she had under her cloak just now—she said, "I have left it at my sister's"—while I was talking to her, I saw the prisoner, William Lewis, and the man not in custody, who went into the house in Cromer-street with the basket—Lewis saw me, and crossed over to me—the other made his escape—I gave Lewis into the custody of another policeman, and went with Jemima Dorsett and Pocock to No. 22, Ashby-street, where, in the second-floor, front room, I found the prisoner, Cecilia Lewis—I know she lives with William Lewis by seeing them together before—I asked her what she had done with the bundle her sister had left there—she said she had not received any bundle from her sister—I turned up the bed, and between the bed and sacking found these two pictures—Pocock found a bundle in the room—Cecilia Lewis said, "How dare you look at that bundle? don't open it"—she went to snatch it from him, saying it was filthy linen, not fit for him to look at—he opened it, and it contained nine linen shirts, and other things, wet—I left them in custody and went with the male prisoner—I took him into a chandler's shop, and found in his coat pocket, a bag containing eleven skeleton keys and some lucifer-matches—I have since been to the prosecutrix, tried the keys to the outer door, and two of them open it—when I returned to my brother officer, the prisoners were down in the street, and Jemima Dorsett said that was not the bundle she had taken to her sister.

Cecilia Lewis. *Q.* Did not I say I had opened one bundle that my sister brought, and put a blanket on the bed? *A.* No, you did not—there was no bundle in the room but this—she denied receiving any bundle at all.

Dorsett. The bundle I took was tied up in a shawl. *Witness.* I found no shawl.

Lewis. *Q.* Did you hear me speak to Dorsett, or see me in Cromer-street? *A.* No.

THOMAS POCOCK. I am a policeman. I saw Collier watching—I saw Jemima Dorsett standing at the door of No. 31, Cromer-street, a long time, and I saw William Lewis go into that house—Collier was behind me and could not see him—it was about ten minutes after nine o'clock—Jemima Dorsett was standing at the door at the time, and a man named Dorsett, who is not now in custody, immediately followed with a basket on his shoulder—I afterwards saw the man Dorsett come out and go up Cromer-street—he crossed over towards us—Collier and I immediately ran down the court; Collier was first—I called out, "There is no thoroughfare, George"—we returned in a few minutes, and saw Dorsett at the door of 31, Cromer-street—soon afterwards we went up towards Battle-bridge—we crossed the fields, the quickest way to Ashby-street, and in a few minutes saw Jemima Dorsett pass us with a bundle under her cloak—we watched her to No. 22—she came out in two or three minutes, and Collier stopped her and asked what she had done with the bundle she took to that house—she said, "I left it at my sister's"—just at that moment Lewis and the man Dorsett came down a court into the street—the man Dorsett ran away and Lewis made a stop—I went up to the room—Catherine Lewis was sitting in a chair, with her shawl and bonnet off—I found a bundle of linen in a cupboard—she came there and caught hold of me, and said, "I *dare* you to touch my dirty linen"—Collier said, "Open it"—it consisted of.

nine wet shirts, two shifts, and other property—we took Jemima Dorsett into the room, and while Collier went out to search Lewis, Dorsett said, "That is the bundle I brought here"—I am sure she said so—she afterwards said it was not the bundle, it was another; but there was no other bundle in the room—there was one dirty shirt and a dirty gown in the room besides.

Catherine Lewis. Did not I say it was not the bundle my sister brought?—she had left it at the door, I had opened it, and taken a blanket out and put it on my bed, the shawl and dirty mattress and other things I put in the cupboard. *Witness.* It is quite false—she said nothing of the kind to me.

William Lewis. I entered the house full ten minutes before Dorsett, and inquired for him, but he was not at home. *Witness.* It was not half a second before Dorsett went in.

WILLIAM WINSBURY (*police-constable E* 138.) I went into the house No. 31, Cromer-street, and found two sheets, two petticoats, a table-cloth, a toilet-cover, a shift, four collars, and a basket, in a dust-hole.

Catherine Lewis. *Q.* Did you find these things, or did the landlord's boy? *Q.* The boy told me where they were—I pulled them out of the dust-hole myself—I found part of the linen in the basket, and part secreted among the dust—I know these are the things I found.

COURT. *Q.* Can you distinguish what was found at Dorsett's, and what was found at Catherine Lewis's? *A.* Yes—they have been kept separate.

ANN HAZLEWOOD *re-examined.* This basket is mine, and all the articles in it—here is my name on this—I know the pictures—they hung in my room over where the basket was—I am in no business at all—I have only been in business since last March—I have been living with my son—I rent the rooms myself—I am a widow.

William Lewis's Defence. About a quarter-past nine o'clock I was going down Gray's Inn-road, and met Dorsett—he said he was going to Mr. James, and asked me to accompany him there—I said, "Yes"—going along, before we got to Mr. James, I saw the two officers standing opposite—I crossed over to them, and lost Dorsett all in a minute—I crossed and spoke to them; had I been guilty, it is not likely I should have done so.

Catherine Lewis's Defence. I found these things in a court in Tottenham-court-road, and asked my brother to carry them home, as nobody owned them—I asked him to put them on his shoulder, and take them home—he said he would—I meant to go in-doors—he said Dorsett and his sister should not know any thing about it—he put them in-doors, and instantly told her to go out to take a bundle of linen to my sister, in order to get her out—when she was gone out, I went in with the pictures—I afterwards went home to my own place with the bundle and the pictures; but the prisoner Dorsett knew nothing of it at all; she did not see me with the bundle—it is very hard that she suffers.

Jemima Dorsett's Defence. About half-past nine o'clock my husband came in with a basket on his shoulder—I asked what he had there—he seemed very cross, and I did not ask him more—I went with the bundle to my sister, containing a blanket, a pair of stockings, a shawl, and other things—when I got there she was not at home—I came down stairs, and went out—I returned again, and knocked the door, and said, "Will you allow me to leave these dirty things at my sister's door?"—they said, "Certainly," and I left them—I came down, and as I was going towards home

Collier called me, and asked if my husband had been in company with Chapman King—I said I did not know—after some hesitation, he said, "What have you done with that bundle?"—I said, "I have taken it to my sister's"—he had me taken there, and then I found my sister at home—the bundle I took was tied in a shawl—it had been opened, and the bed made—I was anxious to get the bundle there, as it is a furnished lodging, and the blanket did not belong to her—she had lent it to me.

GEORGE COLLIER *re-examined*. The bundle was as much as she could carry—she had got about twenty yards from the house, when I went and found Catherine Lewis in the room—I think she could not have come in after Dorsett went there, as Dorsett was about five minutes at the house—I believe there was an old gown lying on the bed, and an old shawl in the corner, but nothing like that I saw Dorsett carrying.

Witness for the Defence.

JOHN QUAINER. I am a weaver, and live at No. 4, Red Lion-row, Walworth. I have known the prisoner Dorsett nine or ten years—I never knew a blemish in her character—I live a long way from them now, but twelve months ago I lived very close to them—I know her husband—I know he is her husband—they were married at Shoreditch church, I think, my wife was present at her marriage, but I was not—they always lived together as man and wife.

GEORGE COLLIER *re-examined*. I always understood they were man and wife.

WILLIAM LEWIS—GUILTY. Aged 22.—Transported for Fifteen Years.

CECILIA LEWIS—GUILTY. Aged 18.—Transported for Ten Years.

DORSETT—NOT GUILTY.

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195. CECILIA LEWIS and JEMIMA DORSETT were *again* indicted for stealing, on the 15th of October, 1 pair of boots, value 12*s*., the goods of James King.

HENRY PENNY. I manage a boot and shoe-shop for James King, in Chapel-street, at the corner of the Liverpool-road. On the 15th of October I lost a pair of boots—these are them—(*looking at them*)—they are our manufacture—they were never sold.

EDWARD ROPE. I am shopman to Daniel Button, a pawnbroker in Battle-bridge. I produce a pair of boots pawned by a woman on the 15th of October for 8*s*.—I have seen the duplicates which I gave the person, in the hands of Collier.

GEORGE COLLIER. I am a policeman. I took the prisoners into custody on another charge, on the 11th of November—I searched Dorsett's lodging, No. 31, Cromer-street—the house is occupied by her husband and herself—I found a quantity of duplicates in various places in the room, and these duplicates among them, and these six keys.

NOT GUILTY.

(There were other indictments against the prisoner, upon which no evidence was offered.)

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196. JOHN ADAMS was indicted for stealing, on the 25th of March, 5760 yards of galloon, value 18*l*.; also for stealing, on the 6th of November, 720 yards of galloon, value 2*l*. 5*s*.; the goods of Thomas Cordell Newbury, his master: to both of which he pleaded

GUILTY. Aged 23.—Confined Twelve Months.

197. HANNAH ROGERS was indicted for stealing, on the 7th of November, 1 veil, value 1*s*.; 1 table-cloth, value 3*s*.; 1 handkerchief, value 2*s*.; 1 scarf, value 5*s*.; 2 towels, value 2*s*.; and 4½ yards of lace, value 1*s*.; the goods of James Whittle Mead, her master.

ANN MEAD. I am the wife of James Whittle Mead, and live in Upper Southgate-street, Paddington. The prisoner came to live with us as servant on the 24th of September—I was constantly missing articles, and among others, those named in the indictment—on the 7th of November I spoke to her, and she acknowledged taking a veil, some lace and ribbon—I called in an officer, and she delivered these articles from her box—I had given her a cap, and she took the ribbon and trimmed it with it—there were three or four yards.

JAMES EAGLES (*police-constable T* 115.) On the evening of the 7th of November I was called in to Mr. Mead's house—the prisoner delivered to me a veil, four pieces of lace, and a ribbon, which she took from her box—she said she took the linen out of a cupboard, and the veil out of her mistress's drawers.

MRS. MEAD *re-examined*. She denied having the things till I went to her late mistress's, I then called in the officer, and she acknowledged it.

(Susan Blomfield, of York-street, Westminster, the wife of a carpenter, gave the prisoner a good character.)

GUILTY. Aged 17.—Judgment Respited.

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198. ROBERT BELCHER was indicted for stealing, on the 8th of November, 6 pairs of shoes, value 15*s*., the goods of Joseph Johnson.

JOSEPH JOHNSON. I keep a shoe-shop in Tottenham-court-road. I heard a ticket fall, on Friday evening, the 8th of November—I went to the door and missed six pairs of shoes—I saw the prisoner running, five or six doors off, and took him—he was charged by a boy with having taken shoes—he said he did not—they were tied together—the string was taken with them.

CHARLES BENNETT. I am an errand-boy to Mr. Kyezor, Tottenham-court-road, next door to the prosecutor. On Friday afternoon, the 8th of November, I was at my master's door—I saw the prisoner come to our door, where another boy stood, give him the shoes, and he ran away with them—the prisoner walked behind—Mr. Johnson came to the door, and I pointed him out—the shoes have not been found.

CHARLES PURKIS. I am a policeman. I took the prisoner into custody at the shop of Mr. Johnson—he said he did not take them—I found a knife on him.

Prisoner's Defence. I was not running, I was looking in at the next shop. NOT GUILTY.

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199 BENJAMIN TAYLOR and WILLIAM FROME were indicted for stealing, on the 5th of November, 1 pair of boots, value 8*s*., the goods of George Briscomb.

WILLIAM BRISCOMB. I live with my father, George Briscomb, who keeps a clothes-shop in Grosvenor-row, St. George's, Hanover-square. This pair of boots are mine—I missed them from a nail hanging on the door-post, at four o'clock in the afternoon, having seen them safe at half-past three o'clock—I had seen the prisoners looking in at the shop-window together about three o'clock.

GEORGE JOHN RESTIEAUX (*police-constable E* 49.) On the 5th of November, at a quarter before ten o'clock, I saw the prisoners at the corner of Church-street, in Buckeridge-street, St. Giles's—Taylor was about a yard behind Frome—Frome said, "Go back, *black*," which is a term for a constable coming—Frome ran so fast I could not secure him, but I took Taylor with these boots in a basket, I found a pair of scizzors in it—Taylor said, a strange man had given him the basket to take down the second turning and then the first turning, and he would meet him—I asked him if Frome was the man—he said, "No"—About an hour and a half afterwards, I apprehended Frome in a lodging-house, took him to the station-house, and Taylor said he had not seen him since twelve o'clock that day, but I had seen them together—I found a knife in Frome's pocket, and the scizzors were in the basket—there was a piece of string that joined the two boots together, and it appeared to have been cut—I found 1*s.* 3*d.* on Taylor, and 1*s.* on Frome.

(*Property produced and sworn to.*)

Taylor's Defence. A person employed me to carry the basket, he gave me 6*d.* and was to meet me at the corner of Church-street, but before I got there the policeman took me—I told him the same as the man told me—he found the scizzors in my basket—I know nothing of the other prisoner.

(The prisoner Taylor received a good character.)

TAYLOR†—GUILTY. Aged 17.
FROME†—GUILTY. Aged 17. } Confined Twelve Months.

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200. BENJAMIN TAYLOR and WILLIAM FROME were *again* indicted for stealing, on the 5th of November, 1 tea-caddy, value 5*s.*; and 1 basin, value 2*s.*; the goods of Isaac Jacobson.

ISAAC JACOBSON. I live in Oxford-street. On the evening of the 5th of November I heard there was a tea-caddy stolen—I cannot swear to this.

NATHAN SOLOMON. I am the prosecutor's son—I was in his house on Tuesday the 5th of November, between six and seven o'clock—I missed a tea-caddy—the one produced is it, I know it by a private mark of my own—it has a sugar-basin to it—it was taken off the steps of the door—I had seen it safe about a quarter past six o'clock.

GEORGE JOHN RESTIEAUX. I am a policeman. On the evening in question I saw the two prisoners in Church-street, St. Giles's—Frome passed me and I seized Taylor—Frome said, "*Black*, go back *black*," and then ran away—I found the tea-caddy in the basket, with the shoes tied in an apron—he gave me the account I stated in the last case.

Frome's Defence. It is quite false that the scizzors were in the basket, they were in my pocket.

TAYLOR*—GUILTY.
FROME—NOT GUILTY.

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201. JAMES THOMPSON and HENRY SIMPSON were indicted for stealing, on the 31st of October, 5½ yards of printed merinos, value 3*s.* 6*d.*; and 9½ yards of printed cotton, value 6*s.* 6*d.*, the goods of Jonas Binns; and that Thompson had been before convicted of felony.

JONAS BINNS. I am a linen-draper, and live at Kensington. I lost a morine gown-piece, and some cotton, worth 1*l.* together—I saw them safe on Thursday morning, the 31st of October, in my window, within reach of a person standing on the top step of the door—I missed them about eleven o'clock.

ANN BINNS. I am eighteen years old—I live with my father. On the 31st of October Thompson came into the shop about eleven o'clock, and asked for some thread—I had none of the right colour—I missed the property shortly after—I should not like to swear to Thompson, but feel confident it was him.

THOMAS SWAIN (*police-constable T* 130.) On Thursday, the 31st of October, I saw the prisoners in Brook-green-lane, Hammersmith, about twenty yards from each other, coming in the direction from the prosecutor's house—they had each a bundle—I went up to Thompson, and asked what he had there—he said he had got a gown, and was taking it to his mother's—I turned round and saw Simpson run away with the other bundle—I sent somebody after him—I found on Thompson this gown piece.

JOHN JONES. I was in company with Rice, a constable, on the 31st of October, about one o'clock, in Brook-green-lane—I saw the prisoner Simpson running from a hedge—a man named Price ran after him, and took him, in my sight—I went over the hedge, and found this gown-piece wrapped up in this towel—it was just over the hedge, where the prisoner had run—he said he got it near the turnpike at Nottinghill.

(*Property produced and sworn to.*)

JAMES SMITH. I produce the certificate of Thompson's former conviction—I got it from Mr. Clark's office—I was present at the trial of Thompson—he is the person mentioned in the certificate—(*read.*)

THOMPSON—GUILTY. Aged 16.—Transported for Seven Years—Convict Ship.

SIMPSON—GUILTY. Aged 14.—Confined Six Months.

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202. WILLIAM PRESS was indicted for stealing, on the 9th of November, 6 sovereigns, 13 shillings, one penny, and one halfpenny, the monies of Thomas Jeakes, his master.

THOMAS JEAKES. I am a builder, and live in Little Russell-street, Bloomsbury. I have known the prisoner a few years, and have occasionally employed him to go on errands for me—he owed me a debt—I partly paid him money for errands, and partly wrote it off against the debt—I have occasionally sent him with money to a person named Geary—the prisoner came to me on the 6th of November, and asked me if I had any money to send to Geary—I entrusted him with six sovereigns, eighteen shillings, and three halfpence—he knew where to take it—he went off with the money, and spent it.

Cross-examined by MR. PRENDERGAST. *Q.* In what way did you employ him? *A.* In writing out agreements for me occasionally—I paid him by the job—I should not have employed him except he owed me some money—I had given him 5*s.* to go to Islington the day before—I made no agreement with him—he lived in the Colonnade, about a quarter of a mile from me—I sent to him two or three times before he was taken—they brought me back word that he had spent all the money, and wanted to repay me—when I went with the policeman and took him, I asked what he had done with the money—he said he was very sorry, he had spent every farthing—I did not ask him if he had any thing to give me—he wanted to work it off, and said he would pay me in two or three months' time.

STEPHEN GEARY. I live in Hamilton-place, King's-cross. On Thursday, the 5th of November, the prisoner did not bring me this money or any other—I have since been paid by the prosecutor.

JOHN JUDGE. I am a policeman. I received the prisoner in custody—he said he had received the money of Mr. Jeakes, and had spent it all, and he could not account for what made him spend it.

(The prisoner received a good character.)

GUILTY. Aged 29.—*Recommended to mercy.*—Confined Six Months.

Fourth Jury, before Mr. Sergeant Arabin.

203. MARGARET SULLIVAN, *alias Catherine Hickey*, was indicted for stealing, on the 18th of November, 1 gown, value 4*s.*, the goods of William James Smellie.

CHARLES SNELLING. I am shopman to William James Smellie, a pawnbroker, in Farringdon-square, Somers-town. The prisoner came to our shop on the 18th of November, and inquired the price of several articles, but bought nothing—about ten minutes after she left, Mr. Griffiths' young man brought the cape of a gown, which I knew to be my master's, and one which I had left the prisoner looking at while I went to the other end of the shop—I went with him to Mr. Griffith's, and saw the gown and the prisoner.

THOMAS FINEGAN. I am shopman to Mr. Griffiths, a pawnbroker, in Ossulston-street. The prisoner came to pledge this gown—I asked how much she wanted on it—she said 6*s.* and that she had it out on Saturday night before for the same—I saw a pin in it, and suspected it was stolen—I detained the prisoner, and sent a young man to Mr. Smellie's shop, who claimed the gown.

(*Property produced and sworn to.*)

Prisoner's Defence. I was standing in the shop about a quarter of an hour waiting for my turn—a woman came in, and told me to move alongside, and asked me to hand her the gown—I did so, and then this man came, and said I had taken it.

(The prisoner received a good character.)

GUILTY. Aged 35.—Confined Three Months.

204. ROBERT HALESMORE was indicted for stealing, on the 18th of November, 1 pair of boots, value 5*s.*, the goods of John Matthews and another.

WILLIAM GOFTON. I am in the employ of John Matthews and another, pawnbrokers, in Nichol-street, Gray's-inn-lane. On the 18th of November, about a quarter to five o'clock, I was in the shop looking through the window—I saw the prisoner in the act of taking something—I went round the counter, and saw him with a pair of boots in his hand—he must have taken them off a bar in the shop—I followed him about two hundred yards, came up with him, and told him I wanted him—he said he could not come—I told him he must come—he began to scuffle and fight, but I got fast hold of him, and took him back to the shop—he dropped the boots in the scuffle—these are them—(*looking at them.*)

Cross-examined by MR. PHILLIPS. *Q.* Did you see the prisoner in the shop? *A.* No, outside—the boots were hanging inside—there is a mark on the sole which I know them by—I missed them on my return.

MARGARET SULLIVAN. I picked up the boots in the street—I do not know who dropped them.

GUILTY. Aged 15.—*Recommended to mercy.*—Confined Six Weeks.

205. FREDERICK BYE was indicted for stealing, on the 14th of No-

vember, 2lbs. weight of bacon, value 1*s.* 6*d.*, the goods of John Edwards; and that he had been before convicted of felony.

JOHN EDWARDS. I am a cheesemonger, and live in High-street, Camden-town. On the 14th of November, near one o'clock in the day, the prisoner came to my shop—he asked for nothing—I had reason to suspect him, and ran after him—I caught him eight doors off with the bacon in his hand, and gave him in charge of the policeman.

ALLEN HORATIO GARMAN. I am a policeman. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—"I was a witness at the trial—he is the person who was then convicted—I took him and his brother."

GUILTY. Aged 18.—Transported for Fourteen Years.

206. WILLIAM BULLOCK was indicted for an indecent assault.

GUILTY.—Confined One Year.

NEW COURT.—*Monday, December 2nd,* 1839.

Fifth Jury before Mr. Common Sergeant.

207. CATHERINE FILKINS was indicted for stealing, on the 20th of November, 1 clock, value 10*s.*; 2 paintings and frames, value 10*s.*; 1 umbrella, value 6*s.*; 1 shift, value 2*s.*; and 1 petticoat, value 1*s.*; the goods of Ann Stevens; to which she pleaded

GUILTY.—Confined Three Months.

208. ANN MALEY was indicted for stealing, on the 25th of November, 2 petticoats, value 2*s.* 6*d.*; 2 gowns, value 5*s.*; 1 shawl, value 1*s.*; 1 cap, value 6*d.*; 1 shift, value 6*d.*; 1 bonnet, value 3*s.*; the goods of Patrick Maley; to which she pleaded

GUILTY. Aged 15.—Judgment Respited.

209. WILLIAM PRICE was indicted for stealing, on the 27th of November, 1 handkerchief, value 6*s.*, the goods of John Thomas Stewart, from his person; to which he pleaded

GUILTY.—Confined Three Months.

210. ELIZA NICHOLLS was indicted for stealing, on the 28th of November, 2 spoons, value 2*s.*, the goods of David Wilson.—2nd COUNT, stating them to be the goods of Mary Wilson: to which she pleaded

GUILTY.—Confined Three Months.

211. THOMAS SHIRLEY was indicted for stealing, on the 6th of November, 2 trusses of hay, value 2*s.*, the goods of Benjamin William Thorold.

JOSEPH BIGGS. I am foreman to Benjamin William Thorold, and live at East Acton. I have seen two trusses of hay produced—it is my master's—we have lost such—it is from the last rick that was put up—there is dock and thistle among it.

Cross-examined by MR. PAYNE. *Q.* Who does this belong to? *A.* To the old gentleman who is down at his farm in Lincolnshire—Mr. Birch does not deal with him—I do not know that the old gentleman's name is

Benjamin Hart Thorold—the name of Benjamin William Thorold is on his carts—I had a hay-binder there—I should like to know what has become of him—he was suspected of being concerned in this robbery—I have made no attempt to find him, the officer has—Mr. Birch had a horse at grass for seven weeks on my master's premises.

THOMAS DUGGAN. I am a horse-patrol. In consequence of information, I went, between ten and eleven o'clock in the morning, to Mr. Birch, who keeps the Green Man public-house, at Harlesdon-green, where the prisoner was ostler—I found him in the stable—I told him I was going to apprehend him for stealing hay from Mr. Thorold—he said no person saw him steal any hay—in a short time Biggs came—there were three trusses in the stall in the stable—Biggs pointed out two of them—he swore to two of them being his master's, he would not swear to the other—the hay was taken from near Harlesdon-green, a quarter of a mile from where we found this.

Cross-examined. *Q.* Have you kept it? *A.* Yes, I took somebody else, from information I had received, but not from Biggs.

ANNE BROOKS. I live at Harlesdon-green—I have known the prisoner some time—about a week before he was apprehended, I saw him take a truss of hay from the bottom of Mr. Thorold's rick at Harlesdon-green.

Cross-examined. *Q.* You did not go before the Magistrate? *A.* I went after he was taken—the hay-binder was present when he took this—I was at home—I could see quite plainly, it was the middle of the day.

MR. PAYNE *called*

JACOB BIRCH. I keep the Green Man public-house—I have known the prisoner two years—he has been in my employ ten months—I know old Mr. Thorold—his name is Benjamin Hart Thorold—his son's name is Benjamin Walter Thorold—neither of them are named Benjamin William—I received this bill from the son, Benjamin Walter Thorold, which I had for a horse grazing on the old gentleman's property—the bill says "To Benjamin Hart Thorold."

JURY. *Q.* What means had you of ascertaining the old gentleman's name? *A.* His son told me his name was Benjamin Hart, and he took up the name of Thorold.

(The prisoner received a good character.)

GUILTY. Aged 28.—Confined Nine Months.

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212. FREDERICK SABLE was indicted for stealing, on the 10th of June, 49 bookbinders' tools, value 3*l.*; likewise, on the 2nd of September, 3 lbs. weight of millboard, value 9*d.*; 1 lb. weight of leather, value 7*s.*; 12 sheets of printed paper, value 3*s.*; 8 books of gold leaf, value 2*s.* 6*d.*; the goods of Thomas De la Rue and others, his masters; to both of which he pleaded

GUILTY.—*Recommended to mercy.*—Confined One Year.

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213. GEORGE FOX was indicted for embezzlement.

MR. BALLANTINE *conducted the Prosecution.*

THOMAS YORK. I am a lath-render, and live in Ann's Place, Hackney-road. I went to the prosecutor's yard, which is near the Regent's Canal, Limehouse, on the 8th of November, between seven and eight o'clock in the morning, and purchased a quarter of a fathom of lath-wood of the prisoner—it came to 4*l.* 10*s.*—I paid him 4 sovereigns in gold, and ten shillings in silver.

Cross-examined by MR. PRENDERGAST. *Q.* This was quite an ordinary

transaction? *A.* Yes—I paid the 4*l.* 10*s.* between seven and eight o'clock in the morning—nothing particular occurred.

WILLIAM SKINNER. I was employed to cart some wood from Mr. Boulcott's on the 8th of November—I saw York pay Fox four sovereigns and some odd silver.

Cross-examined. Q. You were with him? *A.* Yes—I am not York's servant—I am a cow-keeper and carman.

DANIEL ROGERS. I am a lath-render, and live in Bethnal-green. On the 18th of November I purchased one-eighth of a fathom of wood of the prisoner, and paid him 2*l.* 5*s.* for it—Skinner carted it for me.

Cross-examined. Q. What time was this? *A.* Half-past seven o'clock in the morning—the yard was open—there were many other persons there—I have been here before—I get my living honestly.

WILLIAM SKINNER *re-examined.* I am a carman. On the 18th of November I carted the wood for Rogers—I saw one sovereign, two half-sovereigns, and silver paid to the prisoner.

Cross-examined. Q. Are you always carman to this yard? *A.* No—I cart lath and fire-wood for these two men—they used to work together, but they have parted since—I saw money on both these occasions.

CHARLES FREDERICK DADDEN. I am clerk to Boulcott and Cadman, timber merchants. The prisoner was their foreman—it was his duty to sell lath wood in the morning before the clerks came—if he effected a sale, and was paid, it was his duty to give the money to me when I came to the counting-house—on the 8th of November the prisoner handed 2*l.* 5*s.* to me for one-eighth of a fathom of lath, which he had received from York—he accounted for no more money received from York that day.

Cross-examined. Q. Have you got your book here? *A.* Yes—there were other things sold by him that morning—here are two other entries by him that same day—I know he had not paid Mr. Boulcott this money, because he was in the country—his name is Joseph Crew Boulcott.

MR. BALLANTINE. Q. It was the prisoner's duty to account to you? *A.* Yes—if he did not account to me, he should to Dalton.

CHARLES DALTON. The prisoner did not account to me for the remainder of the 4*l.* 10*s.* on the 8th, or for 2*l.* 5*s.* on the 18th from Rogers.

Cross-examined. Q. How many clerks are there besides? *A.* Only us two, and the two partners—no mistake is ever made in the entries.

CHARLES FREDERICK DADDEN *re-examined.* The prisoner did not account to me for 2*l.* 5*s.* on the 18th of November from Rogers—it is not entered at all—if I receive money I enter it, and if Dalton receives it he does.

Cross-examined. Q. Does the prisoner make any entry? *A.* No—no notes of delivery are given—the note of delivery is a note from our counting-house—he generally tells us if he has sold any thing.

JOSEPH CREW BOULCOTT. My name is Crew, I do not ordinarily use it, but I use it when I have occasion to sign a deed.

CHARLES CADMAN. I am partner with Mr. Boulcott. I never receive money—I did not receive either of these sums.

(Edward Robinson, tailor, Queen-street, Ratcliff; Daniel Palmer, lighterman, Butcher-row, Ratcliff; John Skinner, coal merchant, Narrow-street, Ratcliff; John Skelton, mast-maker, Shadwell; Benjamin Venables, lighterman, Narrow-street; John Hendon, bootmaker, Queen-street, Rat-

cliff; John Hone, coal and potato merchant, and John White, master lighterman, George-street, Ratcliff; gave the prisoner a good character.)

GUILTY. Aged 40.—Transported for Seven Years.

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214. WILLIAM HOOKER was indicted for stealing, on the 11th of November, 1 canvass wrapper, value 1*s.*, and 25 yards of woollen cloth, value 2*l.* 17*s.* 6*d.*, the goods of Richard Worster and others; and MARY HOOKER and HARRIET HOOKER, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.: to which

W. HOOKER pleaded GUILTY. Aged 13.—Confined Three Months.
M. HOOKER pleaded GUILTY. Aged 42.—Confined Nine Months.
H. HOOKER pleaded GUILTY. Aged 28.—Confined Six Months.

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215. MARY FITZGERALD and CHARLOTTE EVANS were indicted for stealing, on the 15th of November, 1 pair of trowsers, value 4*s.*, the goods of Daniel John Steward; and that Fitzgerald had been before convicted of felony.

DANIEL JOHN STEWARD. I lost a pair of trowsers, on Friday, the 15th of November, from the right-hand side of my shop in Royal Hospital-row, Chelsea. I saw them about half-past two o'clock—these are them—(*looking at them.*)

MARTHA GRANT. I am servant to the prosecutor. About four or five o'clock that afternoon, the two prisoners came and asked for a pair of shoes—I showed them a pair—Evans said they did not fit her—she wanted a larger pair, and was to have them by Saturday night—she went away, and said she would call and let us know whether she would have them—they both came back in about half-an-hour, and said we were to make the shoes, and if they did not come for them, I was to take them to No. 7, George-street, in the name of Jones—these trowsers were there when they came, and directly they went the trowsers were missing—I went to George-street, and they did not live there—in about three-quarters of an hour I saw them go by—I went and called them in, and gave them into custody.

ANN FRANKLIN. I live in King's Arms-yard, Ebury-street, Pimlico. On the afternoon of the 15th of November the two prisoners came down the yard, about five o'clock, and sent a young lad in to call out my journeyman—he went out and did not return till about seven o'clock—I then gave him his tea, he went out, and I did not see him again till he was in custody—I went and found these trowsers under his bed—he is still in my employ—he was liberated at Queen-square Office—he had not been out all day before they came.

JAMES BRADLEY (*police-constable B* 134.) I took the prisoners and have the trowsers.

Fitzgerald's Defence. We went out—this young woman said she would buy a pair of shoes—we went in and ordered them—we then went back to pay off some money, and the young woman said there would be no occasion if she would be sure and call—she said she would—we came out, and in half-an-hour or three-quarters of an hour we went by again, and she called us in—in an hour and a half the officer came and said the trowsers were found by two sweeps—we said we were glad of it—one of the sweeps was taken and discharged.

WILLIAM MURPHY. I am a policeman. I produce a certificate of Fitzgerald's conviction, which I got at Mr. Clark's office—(*read*)—she is the person.

FITZGERALD—GUILTY. Aged 18.—Transported for Seven Years.
EVANS—GUILTY. Aged 19.—Confined Six Months.

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216. MARY ANN CALDERARA was indicted for stealing, on the 27th of November, 1 scarf, value 1*s.*; and one cape, value 6*d.*; the goods of Robert Watt.

JAMES HARMAN. I am apprentice to Robert Watt, of Exmouth-street, Clerkenwell. On the 27th of November the prisoner offered two aprons to pledge—she did not appear to be drunk—she laid them on the counter, went back about three yards, and asked the price of a shawl—I said, "Ten shillings and sixpence"—she held it up some minutes, then let it fall, and I saw the scarf in her hand—the foreman came up, and took the pledge from her—she then went out—we followed her, and told her she had something which did not belong to her—she said, "They are not yours, they belong to a person of the name of Cosgrove"—the foreman took the scarf from her, and at the door he took the cape from her—this is the property—(*looking at them*)—they are my master's.

Prisoner. I was very much intoxicated—I know no more of the scarf than a child.

WILLIAM BARTON (*police-sergeant G* 1.) I took the prisoner—she endeavoured to escape—she was drunk, and is a very drunken character.

Prisoner. It was my first time of being intoxicated, and shall be my last.

GUILTY. Aged 32.—Confined One Month.

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217. WILLIAM PAINE and DENNIS CORBETT were indicted for stealing, on the 23rd of November, 6 combs, value 3*s.*; the goods of Stephen Cooper.

STEPHEN COOPER. I keep a toy-warehouse in Crawford-street. On the 23rd of November, at a quarter past six o'clock, the prisoners were brought to my shop—I examined and found I had lost six combs—these are them—(*looking at them.*)

ROBERT HOARE (*police-sergeant D* 12.) I saw the two prisoners at the prosecutor's—Paine was pushing the door open, and before I could get across I saw Paine run out of the shop—Corbett was covering him when he went in—I took these combs from Paine, and took the prisoners back to Mr. Cooper—I found on Corbett a top and a counter, and on Paine a box of skittles and a money box.

Corbett's Defence. I met this boy, who asked me to go with him—we stopped looking into the shop, and I went on and called him—he would not come, and the policeman took us.

(The prisoners received good characters.)

PAINE—GUILTY. Aged 11.
CORBETT—GUILTY. Aged 16. } Confined Nine Days and Whipped.

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218. GEORGE MOORE was indicted for stealing, on the 25th of November, 1 pewter pot, value 1*s.* 6*d.*; the goods of William Taylor.

JOHN COOTE (*police-constable D* 41.) About five o'clock in the evening of the 25th of November, I saw the prisoner running down Portman-square with something under his arm—I followed and stopped him, and asked

what he had got—he made no reply—I took this pot from under his arm, and asked what he was going to do—he said to get some oil in it to take to Bayswater, for a gentleman whose horse had fallen down and thrown him out of a chaise—I said it was a queer thing to get oil in a quart pot, and asked him where he was going to take it to at Bayswater—he said to No. 9, but he did not know who lived there—I took him to the station-house—in going along, he said he would give me any thing I liked if I would let him go, as it would ruin his character—at the station-house he said he had worked for a person named Tubb, a milk-man, in the New-road—I took a half-sovereign from him and a letter.

Cross-examined by MR. PRENDERGAST. *Q.* Did he not tell you that he had picked up the pot to get the oil in? *A.* Yes—I went with him by the Magistrate's order the next morning—he took me to No. 9, Bayswater, where the accident had occurred, as he said—I rang the area bell, and asked if the prisoner had been there to carry a quart of cream—the footman called the maid servant—she said he had brought some cream there—I asked if they had seen or heard of any accident, or had any horse that had been injured—they said no—the prisoner said the gentleman gave him the half-sovereign.

DANIEL OLIVER. I am pot-man to Mr. William Taylor, who keeps the Coach-makers' Arms public-house, in Bryanston-street, Portman-square. This pot is his—I do not know where he lost it from.

NOT GUILTY.

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219. THOMAS RUSSELL was indicted for bigamy.

ANN GARDNER. I live at Chelsea. I married the prisoner on the 16th of July, 1837, at Paddington-church, in the name of Thomas Russell—I am sure that is the truth—I know his father when I see him—I did not go with his father any where—I did not go to his father's house—I lived with the prisoner two years and a quarter.

Cross-examined by MR. PHILLIPS. *Q.* How long had you known him before you married him? *A.* Seven or eight months—I was then living in service at Mr. Barrett's, in the New-road—he had been in the habit of visiting me there at all hours and seasons—I did go out with his father, but I did not go to his father's house—I got acquainted with the prisoner, by his coming to the house of a cousin of his.

Q. Did you see any of his friends before your marriage? *A.* I do not know whether they were his friends or not—they said they were—I saw his sister, as she said she was, several times, through a young man living there who she knew—she told me the prisoner was her brother, and that he had got a wife living—but when I put this to him, he always said he was a single man—he always said he was not married.

Q. Did not his sister remonstrate with you for encouraging his visits, when he was a married man? *A.* Yes—but how did I know she was his sister?—a woman called on me, who said she was his wife, but how did I know she was so?—that was about three or four months before I married him.

THOMAS MERSER. I am parish-clerk of Thames Ditton, in Surrey. I produce the register of marriages, at that church—on the 23rd of June, 1834, there was a marriage between Thomas Russell, bachelor, and Ann Stevenson, spinster—the prisoner is the man who was married—I know Ann Stevenson—I saw her alive last Monday, at Marylebone.

TIMOTHY WELLS (*police-constable V* 83.) I apprehended the prison at Brentford, on the 19th of November—he was at home with his fir wife and two children, as he represented—I took him on a warrant, f deserting his second wife and one child—she was in the family way agai and she had become chargeable to the parish—he denied that he had second wife.

MR. PHILLIPS *called*

MARY ANN RUSSELL. I am the prisoner's sister—I called sever times on Ann Gardner, to tell her my brother was married, and brougl his wife to convince her of it—I was before the Magistrate when the pr soner was examined the first time—Ann Gardner did not deny that sh knew he was married—she said he told it her himself; and when I wei to her, she said she knew he was married—I was not present at his secon marriage.

COURT. *Q.* Have you seen your brother since 1837? *A.* I am no always at home, but he has been backwards and forwards at my father the whole time—I have been to his house—he was living with his firs wife—I know he has been backwards and forwards with Ann Gardner fo the last two years, but not the whole time with her—I have never been t that house. NOT GUILTY.

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220. MARY SMITH was indicted for stealing, on the 25th of October, basket, value 10*d.*; ¼oz. weight of tea, value 1*d.*; and ¼ lb. weight of butte value 3*d.*; the goods of Michael Gard, from the person of Mary Ann Gard

MARGARET GARD. I am the wife of Michael Gard, and live in Ful wood's-rents, Holborn. At four o'clock, on the afternoon of the 25th o October, I sent my daughter with a basket, to buy some tea and butter— she was brought back by a policeman—some time after I went to Bald win's-gardens, and on my return I met a young lady with my basket—i contained the articles stated.

MARY ANN GARD. I was sent out with a basket to get some tea and butte —the prisoner came up to me, she sent me to some places, and when I came back she was gone—she had the basket—I am sure she is the person—she was dressed in a blue apron, a shawl, and a bonnet—this is the basket.

JANE EMERY. I am the wife of John Emery. I keep a clothes-shop in Hole-in-the-Wall passage—about six o'clock in the evening of the 25th of October, the prisoner came and offered this basket for sale—I had no change, and desired her to leave it—she said it was her own.

WILLIAM WEED (*police-constable G* 213.) I took the prisoner—she said the basket was her own—she then said she would tell no story about it, that an old lady gave it her in Gray's Inn-lane.

GUILTY. Aged 33.—Confined Three Months.

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221. EDWARD WATTS was indicted for a common assault, to which he pleaded

GUILTY.—*To enter into his own recognisance to keep the peace.*

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222. PATRICK RILEY was indicted for stealing, on the 28th of November, 3½lbs. weight of mutton, value 1*s.* 9*d.* the goods of George Ordway.

GEORGE ORDWAY. I am a butcher, and live in High-street, Whitechapel. Last Saturday night, between eight and nine o'clock, I was standing outside my shop, and saw the prisoner take a breast of mutton off my

board—he put it under his jacket, and went away—I followed, and took it from him.

Prisoner. A man with me gave me 1*s.* 2*d.*, and told me to go and buy a bit of meat—I bought it, but I don't know where. *Witness.* I saw him take the mutton from my board.

GUILTY. Aged 33.—Confined Two Months.

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223. JOSEPH MURRAY was indicted for stealing, on the 21st of November, 1 coat, value 3*s.*, the goods of Richard Goodwin.

RICHARD GOODWIN. I live in Leader-street, Shadwell-market, and sell beer on the river. On the 21st of November I made my boat fast to the stairs—I left some casks and some coats on board—I missed a coat from there on Friday the 22nd—I had seen it safe about four o'clock on the Thursday—this is it.

ANN SLADDEN. I am the wife of Thomas Sladden. We keep a marine store shop in New Gravel-lane. On Thursday evening, the 21st of November, the prisoner came and asked me if I bought old rags—I said "Yes"—he threw this coat into the scale, and it was quite wet—I said, "I don't buy wet rags"—I turned it over and found it was a coat—he said his mother had sent him with it—he went out and left it, and in two or three minutes an officer brought him back.

JAMES PORTCH (*police-constable K* 91.) I took the prisoner from information I received.

(The prisoner received a good character.)

GUILTY. Aged 17.—Confined Three Months.

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224. THOMAS SIMMONS and ABRAHAM ANSLOE were indicted for stealing, on the 21st of November, 3lbs. weight of mutton, value 2*s.*, the goods of James Maynard.

CHARLES MAYNARD. I live with my brother James, in Paradise-row, Chelsea. On the afternoon of the 21st of November, at half-past two o'clock, I saw the prisoners running together, about thirty yards from our shop—Simmons had the mutton under his arm—he dropped it, and I took it up.

THOMAS CROWE. I live in Carnaby-street, Golden-square. At half-past two o'clock on that day I saw the two prisoners running, and Maynard following—I saw the mutton drop—I took it up.

WILLIAM HILLIARD (*police-constable V* 111.) I was called, and took Simmons in a wash-house where he was concealed.

SIMMONS—GUILTY. Aged 14.—Confined Fourteen Days.

ANSLOE—NOT GUILTY.

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225. TERENCE CHURCHILL was indicted for stealing, on the 26th of November, 1 chisel, value 2*s.*, the goods of William Wright.

WILLIAM WRIGHT. I am a carpenter, and live in Norton-street. I missed a chisel on the 23rd of November—the prisoner was employed in the same building—this is my chisel—(*looking at one.*)

JOHN SUTTON. I am in the service of Messrs. Aldous, pawnbrokers. This chisel was pawned on the 23rd of November, in the name of John Collins—I don't know by whom—this is the duplicate of it.

WILLIAM SELF (*police-constable E* 126.) I apprehended the prisoner in High-street, St. Giles's—I found on him a duplicate of this chisel and another.

Prisoner's Defence. I found them both on the rubbish.
(The prisoner received a good character.)
GUILTY. Aged 17.—Confined Three Months.
(There was another indictment against the prisoner.)

226. JAMES KIRK was indicted for stealing, on the 27th of November, one umbrella, value 3*s.*, the goods of Thomas Crawford.

THOMAS CRAWFORD. I am an umbrella-maker, and live in the Strand. About four o'clock in the afternoon of the 27th of November, I had an umbrella safe against the door, inside—I missed it about an hour after—this is it.

GEORGE ANTHONY. I am a writer and grainer, and live in Crescent-street. About half-past four o'clock, on the 27th of November, I saw the prisoner and another lad standing at a hosier's shop-door in the Strand—his companion attempted to pull down a flannel shirt, which took my attention—they left, and went to the prosecutor's—after passing two or three times the prisoner took an umbrella from inside the door, and gave it to his companion—I followed them some distance, and informed a policeman—I took the prisoner—his companion threw it down, and escaped.

THOMAS FULLER. I am a policeman. The prisoner was given into my custody—I have produced the umbrella.

(The prisoner received a good character.)
GUILTY. Aged 16.—Confined Three Months.

227. ANN CLARKE was indicted for stealing, on the 21st of November, 1 bonnet, value 3*s.*; 1 shawl, value 5*s.*; and 1 apron, value 6*d.*, the goods of Jane Shore.

(The prosecutrix did not appear.) NOT GUILTY.

228. THOMAS MUSICA was indicted for stealing, on the 18th of November, 7½ lbs. weight of mutton, value 4*s.*; and 1½ lb. of beef, value 1*s.*; the goods of Charles Baker.

PETER DIXON. I am servant to Charles Baker, a butcher, in Torrington-place, Russell-square. On the 18th of November, at eleven o'clock, I stopped the prisoner, who was running with a loin of mutton, and some beef-steaks—I took him back to my tray, which I had left in the street, and found they had been taken from it.

GUILTY. Aged 17.—*Recommended to mercy.*—Confined Three Months.

229. WILLIAM HEDWORTH was indicted for perjury.

(The prosecutor did not appear.) NOT GUILTY.

230. MARY KICKX was indicted for stealing, on the 13th of November, 1 watch, value 2*l.*, the goods of David Hay, from his person.

DAVID HAY. On the 13th of November, between two and three o'clock in the morning, I was coming down Mile-end-road, and met two females who followed me down to Red Cow-lane—we had a little conversation, and the prisoner, who was one of them, began to feel about my person—she went away immediately, spoke to the other, and then came back to me—the other did not feel me—I missed my watch, which I saw safe about ten minutes before—I will swear that it was there when she began to feel—she was not sober—I had suspicion—I went after her, and gave her in charge for stealing my watch—I have not found it.

Cross-examined by MR. PHILLIPS. *Q.* How many women had you

first in your company? *A.* Two, the prisoner was one—there were not three with me—I had been in no public-house with them, that I know of—I was in a public-house with a female who lived servant with a person that I live with—I do not know where she is—she has not absconded, that I know of—I saw her last on that Tuesday, but not since I lost my watch—I have not looked for her—she was in my company about an hour, drinking—I met the prisoner after I parted with her.

CHARLES THOMAS MARTIN. I am a policeman. I took the prisoner—no watch was found. NOT GUILTY.

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231. JOHN EAGAT was indicted for stealing, on the 12th of November, 1 copper, value 10*s.*, the goods of James Skerman, and fixed to a certain building.

SUSANNA SKERMAN. I am the wife of James Skerman, and live in Margaret-street, Clerkenwell. About a quarter before two o'clock, on the 12*th of* November, I went out, leaving my daughter Louisa, who is ten years old, at home—I returned in about half-an-hour, and she began telling me about some one having been there, and my lodger, Charles Howse, came in with this copper, which is ours—when I left home, it was fixed in the wash-house—I found it had been taken away.

LOUISA SKERMAN. I was at home, a knock came to the door, and two sweeps, one of whom is the prisoner, came, and asked if the chimneys wanted sweeping—I said, "No"—he asked if I did not want them swept to-day—I said, "No"—I asked if he had been ordered to sweep them—he said, "Yes"—he went down stairs—I saw him trying to do something to the copper—a little while after, he told me to tell the other to bring the sack down—I went, and did so—they were going away, and the lodger came down.

CHARLES HOWSE. I lodge at Mr. Skerman's. I was coming home, and saw the street-door open, and when I went to my room, a sweep about fifty years old came up, and said the men were down stairs—while I was talking, the little girl, the prisoner, and another man, came up—the prisoner asked if the up-stairs chimneys wanted sweeping—I said, "No"—I thought the prisoner's bag looked rather bulky—I went down, and missed the copper—he was then gone out—I went, and brought him back, with the copper, which he threw away.

Prisoner's Defence. I met these two sweeps, and as we were going on there was an alarm—they threw down the copper, and went away.

GUILTY. Aged 20.—Transported for Seven Years.

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232. ANN GWYNNE was indicted for stealing, on the 16th of November, 2 shirts, value 3*s.*; 2 pair of trowsers, value 3*s.*; 1 shawl, value 1*s.*; 1 jacket, value 2*s.*; the goods of John Hannen: and 1 handkerchief, value 6*d.*, the goods of Sarah Rotte.

SARAH ROTTE. I live with John Hannen, a labourer, in Gower-place, Whitechapel. I have known the prisoner four years—on Saturday, the 16th of November, I saw her at the Hampshire Hog public-house—she called me *Mammy Rotte*, put her arms round me, and I began to kiss her—I asked if she was hungry, and took her home, and John Hannen went for a pot of beer—he had some shirts and trowsers, and other things, which I saw safe between five and six o'clock on the 16th—I missed them the next morning—on the Monday morning, between nine and ten o'clock,

I found her with my shawl on, and this old handkerchief in her hand—she had taken every thing out of the box—I only found the shawl and the handkerchief, which are mine.

WILLIAM LEACH. I am a policeman. I produce the handkerchief and shawl—I took the prisoner on the Monday to the station-house—she was searched, and nothing found on her—she made no reply to the charge.

GUILTY.* Aged 19.—Transported for Seven Years.

ESSEX CASES.

Before Mr. Sergeant Arabin.

233. GEORGE CURTIS and MARY COPSEY were indicted for stealing, on the 15th of December, 1 coat, value 30*s.*; 1 frock, value 5*s.*; 1 shirt, value 2*s.*; 1 hat, value 4*s.*; and 1 hat-box, value 1*s.*; the goods of William Budd and another, the masters of George Curtis; to which

CURTIS pleaded GUILTY.—Confined One Year.

COPSEY pleaded GUILTY.—Confined Three Months.

234. GEORGE CURTIS was *again* indicted for stealing 1 cloak, value 7*s.*; and 1 frock, value 1*s.* 6*d.*; the goods of William Budd and another, his masters; and for embezzlement; to which he pleaded

GUILTY.—

KENT CASES.

Before Mr. Recorder.

235. JACOB WATERHOUSE was indicted for stealing, on the 23rd of September, two ewes, price 3*l.*, the property of Edward Gardner Couldery.

MR. PAYNE *conducted the Prosecution.*

JAMES COOPER. I am in the employ of Mrs. Cousins, a gardener, of Maze-hill. In consequence of information from Ridley on Monday, the 23rd of September, I saw two sheep in my mistress's garden—one was very much scoured, which means very dirty behind—I went round to different butchers, to see if they owned them, and among others, to the prisoner—I asked if he had lost any sheep—he said he had lost five, that he would come and look at them, and if they were his, he would fetch them away—he came about one o'clock, and said they were his, and he would bring his horse and cart that afternoon, and fetch them away—I and the prisoner drove them from the garden to the stable, and he went away—there is a field adjoining Mrs. Cousins's garden, with a great many gaps in the hedge, through which the sheep could get—they could get through the rails, and many places—the prisoner said he had lost the five the week before—that he had had nine, and killed four.

WILLIAM RIDLEY. I am gardener to Mr. Cousins, of Maze-hill. On Monday, the 23rd of September, I saw some sheep in Mrs. Cousins's garden—one was very dirty behind—I believe that was a white-faced one—the other was brown-faced, and much shorter in the legs than the white one—I saw the prisoner in the road with his cart afterwards, between two and four o'clock in the afternoon—he brought a sheep out of Mrs. Cou-

sin's gate, turned it up on the footpath, put it into the cart, and put up the tail-board—I said to him, "John, are *them* your sheep?" (I knew him by the name of John)—he said, "Yes, I have lost five"—I had only seen him put one in the cart myself—he shut Mrs. Cousins's gate, and I went into my master's garden, which is next door to Mrs. Cousins's.

Cross-examined by Mr. Clarkson. *Q.* Mr. Couldery has been a butcher at Greenwich some time? *A.* Yes—I have known him three years—the prisoner lives within a hundred yards of him—he has carried on business as a butcher about eighteen months—I have known him seven years—I never heard any thing against him—the prisoner's premises are about a quarter of a mile from Mrs. Cousins's field—the prisoner and prosecutor both live in Trafalgar-road—I have been accustomed to sheep—these two were of different breeds—one was nearly a Southdown—the legs of one were longer than the other—I do not know whether they were ewes or wethers.

Edward Gardner Couldery. I am a butcher, and live in Trafalgar-road, Greenwich. In September last I had two sheep at Maze-hill, in Vanburgh-fields, about a hundred yards from Mrs. Cousins's garden—I saw them safe on Sunday, the 22nd of September, about one o'clock, in the field—one was a white-faced sheep, and very dirty behind, the other was short-legged, and dark-brown faced—they were ewes, and Cheviot bred—they had been turned into the field on the Friday before—I had bought them on the Monday before, (the 16th) at Smithfield, of Mr. Waugh—in consequence of what I heard, I went on Wednesday, the 25th, to the prisoner's house—I had previously sent my lad Bennett—I asked the prisoner if he had fetched two sheep from Mrs. Cousins's garden—he said he had on Monday—I asked if he had killed them—he said he had killed them on Monday—I asked him to let me see the skins—he said no, he would not allow me on the premises, the skins were gone—I told him my boy could prove the skins were on his premises that morning—I fetched the boy, and he took him into the yard, for the boy to show him where the skins were—the prisoner said he was a liar—I said I thought it was clear they were my sheep, and I would see what I could do—I went home, and gave information to Dorsett the policeman, and went with him to the prisoner's house when he was absent, but found no skins there.

Cross-examined. *Q.* Is Mr. Waugh here? *A.* No—I have never before stated that I asked the prisoner whether he had killed two sheep, and that he said yes—I have never said the sheep were two Southdown—neither of them were Southdown—both were Cheviot bred, but one had a dark face—some have dark faces, and some light—they are not all alike, some have short legs, and some long ones—I did not see the sheep in Mrs. Cousins's garden—I have never seen them since the Sunday on which they were lost, and have had no opportunity of identifying them or the skins—the prisoner has been a butcher ever since I have known him—he has kept a shop about a year and nine months—I have kept a shop seven years—we both live in the same road—he has a pretty good business as a butcher—I never found any difference in mine after he came there—I swear that—I never said so, to my recollection—I swear I never did—he lives about a stone's throw from me, on the same side of the way—he did no business with any of my customers before he came there—I cannot exactly say whether he has since—we have many chance customers who come one day, and not another—there are one or two who come to me, and then go to him—but I can tell by what meat I sell whether I find any difference—

there may have been more than one or two customers left me, but I took no notice—I do not mind losing a customer—a dozen or half a dozen may have left me—we do not call them all customers.

Q. Are there not customers who live in the immediate neighbourhood who dealt with you before he came, and now deal with him? *A.* Partly with me, but never regularly—I do not recollect one regular customer doing so—they might come once or twice a week, but I cannot say they dealt with me constantly before he came—they did not cease to deal with me before he came—one or two may have left off dealing with me altogether—I did not put an account of this into the newspaper—a person came to me one evening, about a week after the hearing, and asked me something about it, and I told him the truth—I did not know he wanted the particulars to put into the newspaper—he did not tell me any thing about it, and I did not know him—I did not know his name or person—I swear that—he was a perfect stranger to me—he was not lame—I know a person named Constantine—I believe he is a reporter—I have seen him at different times passing by—he has spoken to me, and now and then he has bought a bit of meat, nothing further, and he has asked me when this would come on—I do not take in the "Greenwich Gazette"—I read it perhaps once a month or two months—I read some of it just after the hearing—there was perhaps a dozen lines—I cannot say whether that was before or after the stranger saw me—I will not swear it was not afterwards—I have spoken to Constantine about this, because he has asked me questions—I never asked him about the publication in the paper—I do not recollect his saying a word about it—I might have forgotten—I do not keep such things in my head—I have seen him since last Sessions, but not called on him—he asked me about it the last day of the Sessions—I have not seen a paragraph in the paper since last Sessions—I have been told there was one—I do not know who told me—Constantine did not mention it to me—I cannot say he did not—I do not recollect it.

JAMES BENNETT. I am in Mr. Couldery's employ. On Tuesday, the 24th of September, I went to Mrs. Cousins's house, and in consequence of what I was told there I came back to my master's, between two and three o'clock in the afternoon—I went to the prisoner's premises round the back way—I saw two sheepskins lying on some faggots—I believe the woolly part was down—I could not see much of them—I saw the skins again on Wednesday, between eleven and twelve o'clock, in the same place—I went back and told my master, and then went to the prisoner's—I asked if he had two strange sheep—if he had fetched two from Mrs. Cousins's—he said he had fetched two from Mrs. Cousins's, but they were his own—I asked him to let me look at the two skins on the faggots—he said no, he would see me d—d first—I went and told my master, who went down and then came up and fetched me—the prisoner said, "Perhaps you can show me where the skins were lying?"—I said, "Certainly I could"—I went and showed him the place, and Mrs. Waterhouse came out and said it was a pity Mr. Couldery should keep such an abominable young liar as me.

Cross-examined. *Q.* Have you not stated that it was on a Tuesday you went to look for the sheep, and saw the prisoner bring his horse and cart into Mrs. Cousins's gate? *A.* Yes—but I recollected afterwards that it was on Monday—my master said it was Monday, and then I said Monday—it was my mistake—the faggots were in a situation in which his neighbours on either side could see them from their windows—I never saw the other side of the skins.

GEORGE DORSETT (*police-constable R* 94.) On Wednesday, the 25th of September, I went to the prisoner's house and searched there, but did not find any thing—I saw the prisoner a little after four o'clock that afternoon, in Trafalgar-road, going towards home, on horseback—I had been to his house about half-past two o'clock—I told him I had been to his house respecting the two sheep of Mr. Couldery's, and Mr. Couldery had given him into custody on suspicion of stealing them—he said, "Ah, does he mean that? I may as well dismount and go with you," which he did, and went with me to the station-house—he said, going along, that he had fetched two sheep from Mrs. Cousins's garden—I said he was my prisoner, and whatever he stated to me I was bound to tell the Magistrate—he then said, "Three months ago I had five sheep, I killed three, and lost the remaining two—the two I lost were wethers—having heard that two sheep were in Mrs. Cousin's garden, I went and looked at them, and found they were not mine—I came home, and had some conversation with my wife, and she said, 'For God's sake, have nothing to do with the sheep, you will get into trouble'—I said I would not—my wife soon afterwards went up stairs—I then put my horse to the cart, and went to Mrs. Cousins, fetched the sheep, brought them home, and put them into my slaughter-house—I had them there about ten minutes in the slaughter-house—I then turned them up—I found they were two ewes—knowing they could not be mine, I then opened the door leading into the street, shook my apron, and turned them out—no one saw me turn them out into the street, and my wife never knew that I brought them home"—he said, he believed them to be Mr. Couldery's sheep, but being on bad terms, he would not acquaint him of it—he said he had not killed a sheep on his premises for two months—I saw two sheep in his shop on Wednesday, which appeared to have been killed within a day or two—I could not see any appearance of sheep having been slaughtered there—they were two whole carcasses, without the heads, the legs were on—the prosecutor was with me at the time, and he said one of the legs appeared short legs, but I could not see any difference—the prisoner said he had bought two carcasses of mutton on the day previous the (Tuesday) in Whitechapel, and one of Mr. Covell, of Broadway, Deptford, which was hanging in the shop with one of the two he bought in Whitechapel—I found several joints of mutton besides the two carcasses—I am positive he said he bought them on Tuesday.

Cross-examined. *Q.* Did Mr. Covell's man appear before the Magistrate, and prove the fact of his buying the sheep of him? *A.* Yes—the Magistrate did not bind him over—he identified one of the sheep—I did not hear the Magistrate asked to bind him over—the prisoner did not say he fetched the two sheep, thinking they were his—yes, he did say he thought they were his—I examined his premises two or three times to see if I could discover whether any sheep had been killed there, but could see no trace of any—I examined his clothes on the Tuesday, and the stable—there was no slaughter-house, except the stable.

MR. PAYNE. *Q.* Was there time to clear any thing off the premises between Monday and Wednesday? *A.* I should say they might clear every thing away.

EDWARD SWEETLOVE. I am servant to Mr. Price, a butcher, at Greenwich-market. On Monday evening, the 23rd of September, about nine o'clock, the prisoner came and asked me to mind his shop while he killed

one or two sheep—I went about half-an-hour after, and staid there about a hour—he sent me into the back kitchen to pick a chicken—there was n light there—he told me if there was not light enough, I was to poke th fire to make a blaze—he came in about an hour afterwards, and shut u the shop—he gave me 2*d.*, and sent me home—he was dressed the sam as when he went out—I did not notice any appearance of his havin slaughtered sheep.

Cross-examined. *Q.* You went through the shop to go to the kitchen *A.* Yes—there were no sheep in the shop—I did not observe where h went—I did not see him take any light out—I went away about ten o a quarter past ten o'clock.—I saw no sheep hanging in the shop before left—I must have seen them if there had been any—I noticed the sho and saw two or three little bits of mutton hanging about—I am not sur about the time—I know it was about nine o'clock when he came and aske me, and half an hour after I went.

JOHN BRASTED WILSMORE (*police-constable R* 68.) I was on duty o Monday, the 23rd of September, in Trafalgar-road, and close upon eigh o'clock, I saw two sheep fresh killed hanging up in the prisoner's shop—I said, he had some decentish mutton there—he said, he had—I served my time to a butcher.

Cross-examined. *Q.* How do you happen to know it was between seven and eight o'clock? *A.* Because I was on duty—I left duty a little after nine o'clock, it might be a quarter after, I am sure it was not half-past—it was before the shop was shut that I spoke to him—I was not near the shop after eight o'clock—I am sure this was on Monday.

COURT. *Q.* Do you think mutton that was particularly scoured and dirty before killed, would have been of such a quality when killed as to induce you to remark upon its good quality? *A.* Yes, unless it was rotten —scouring is a bowel complaint, it does not affect their health—it would look just as well.

JAMES BENNETT, *re-examined.* I saw two sheep in the prisoner's shop on the Monday evening, from six to seven o'clock—they were bleeding quite fresh out of the nose, as if fresh killed—this is my deposition, (*looking at it.*)—*The witness's deposition being read, stated,* "*On Monday evening, between six and seven o'clock, I saw one sheep hanging out of the prisoner's shop, it appeared to be just killed—it was bleeding at the nose.*"

NOT GUILTY.

Before Mr. Justice Bosanquet

236. RICHARD ROBERTS, *alias John St. John*, was indicted for burglariously breaking and entering the dwelling-house of Henry Moody, about the hour of twelve in the night of the 17th of October, at Woolwich, with intent to steal, and stealing therein, 1 watch, value 10*l.*; 1 watch chain, value 3*l.* 10*s.*; 3 seals, value 6*l.*; 2 watch-keys, value 5*s.*; 1 scent-box, value 7*s.*; 30 pence, and 20 halfpence, his property.

HENRY MOODY. I am a baker, and live in Samuel-street, Woolwich, in the parish of St. Mary, Woolwich. I have known the prisoner about eight years—his father lives about fourteen doors from my house—the side of my house forms the end of Henry-street where he lives—on the 17th of October I went to bed at a quarter past ten o'clock, and left my wife up—I had fastened every thing but the front door—I left my wife undressing the infant, with her mother by the fire—she came to bed after

me—when I came down in the morning at a quarter before 7 o'clock, I found the front door fast and the kitchen window thown up—I had fastened it the night before—there was a box of lucifer matches on the table—I went into the back yard—nobody could get to the window without getting over the wall, the house being surrounded by a high wall—I saw an entrance was made by taking ten tiles off the hay-loft, which were safe the night before—the woodwork the tiles rested on was taken away and the parties had then got down to the kitchen window—I then returned into the house and found the till open which I had locked the night before—you could get from the kitchen into the shop—I missed about 30 pence and 20 halfpence from the till—I then went into the parlour and found a work-box emptied, I missed a silver scent-box—a tea-caddy was also emptied—a cupboard was open where I keep papers, but nothing taken from it—I went up stairs and on the mat of the bed-room where I had slept, I found a candlestick and a small bit of candle standing on the mat, that had been left on the mantle-shelf the night before—the candle did not belong to the house, but the candlestick did—I went into my bed-room, and missed from a hook on the right hand side of the fire-place, a gold watch, a gold chain, three seals, a gold key, and a metal key—I had used the metal key for winding it up—it was not attached to the watch—I had heard no noise in the course of the night—my wife and two children were asleep in the same room with me that night—I have seen the watch since—the maker's name is Desbois Wheeler.

Cross-examined by Mr. Ballantine. *Q.* Where did your wife's mother sleep? *A.* She slept in a room on the same landing—I was the first that went down in the morning—I am certain I fastened the kitchen window over night—I remember it particularly—it fastens with a wedge in the side—it had been forced up from the outside—the window could be broken without breaking the wedge—there were no shutters to it—the wedge prevents its being opened without force—I have known the prisoner about eight years—his name is John St. John Bain—a person named Lindsey was apprehended from the prisoner's statement—I know nothing about him—he is a year or two older than the prisoner—I do not think the entrance could be effected by one person alone—Lindsay has been twice before the Magistrate, and was discharged—he was bailed on his own recognizance, and he appeared each time.

Henry Dale. I live with my father and mother, in Plumstead-place: I go to sea—I came home about three weeks before this happened—I went to school with the prisoner five years ago—I saw him on Tuesday night, the 22nd of October—he went to London with me—between seven and eight o'clock at night I met him on Britannia-hill, Woolwich—he asked me if I would let him go to London with me, as he heard I was going to the West India Docks—I left him then—I met him again in the morning (Wednesday) about twenty minutes to nine o'clock—he asked me if I was going to London—I said I did not mean to go to-day, but I did not wish to make a fool of him, and so I went to London with him—when we got to Charlton turnpike, he said he should pawn his *ticker*—I asked him to show me what his *ticker* was—he took a watch out of his waistcoat pocket, with a gold chain, three seals, and two keys, and gave it in my hand to look at—I said, did he think I was a fool because I said it was not a gold watch—I said I never had one in my hand before—he put it in his waistcoat pocket again—he said he had saved up 20*l.* while he lived at Charlton turnpike, and gave 15*l.* for

a gold watch—I said, "You mean you must have stolen the money"—h said he used to sit up at night at the turnpike, and his master used to b a-bed, and that was how he saved the money—he took the watch three time out of his pocket to see the time along the road, and when we got to the Lon don Docks he again said he should pawn his *ticker*—he pulled it out of hi pocket, looked what o'clock it was, and said it was five minutes after twelv o'clock—he said he knew what time it was because he began to get hungry and that was his dinner hour—we walked round the West India Docks—w came out—he took the chain off and the three seals, put a black ribbo round it and the brass key, put the ribbon round his neck, and the watc in his right-hand waistcoat pocket, and let the key hang outside—walked on with him—he took it off his neck when we got near a pawn broker's shop, and said he would go in there with it—I told him he had bette come home and go to his father, and he did not go in—I asked him wha his father would say if he did pawn it—he said, d—n his father—we went o and he asked me to pawn it for him—I said if it was his he had better d it himself—he asked me to change clothes with him, and said then he woul take it in himself, if I would not go with it—he went into a pawnbroker' shop—I left him there and went straight home—I did not hear of th robbery until I got home—when I went home I told my father and mothe —I then heard about the robbery, and informed Mr. Moody.

JOHN WILLIAM FRYETT. I am a pawnbroker, and live in High-street Shadwell. The prisoner came to my shop about one o'clock on Wednes day, the 23rd of October—he laid a gold watch on the counter, and wante 2*l.* on it—I saw it was gold, and asked him who it belonged to—he sai to his father, that his father had sent him to pawn it—I inquired his nam and his father's—he said his name was Henry Roberts, and he lived a No. 6, Love-lane—I sent a person to inquire if it was true—the lad cam back with the policeman—I gave the watch to him, with a black ribbon t it and a metal key—I gave him in charge of the policeman—the watch chain, and seals are worth about twelve guineas.

WILLIAM PLOWRITE. I am a policeman. I went with the lad to th pawnbroker's, and found the prisoner there—I asked him if he had offered the watch to pledge—he said yes—I asked him how he got it—he said hi father sent him from No. 6, Love-lane, to get 2*l.* on it—I asked him wha his father was—he said he was a cabinet-maker—I took him to No. 6, Love-lane—he said that was not the house nor the place at all—I asked where it was—he said he did not know, for he was a stranger in Londo —I took him into custody—in going to the station-house he said his fathe died eight years ago, and left him the watch—that he was ten years old when his father died, and had had the watch ever since—I searched him and found this gold chain, three seals, and a key. The prisoner's examination was read over to him, but he was not asked to sign it.

HENRY MOODY *re-examined.* This is the same watch, chain, and seals which I missed on the night in question—I am quite sure they were safe when I went to bed.

Cross-examined. Q. Was it a watch you had in use? *A.* No—I had not used it for a month previous, perhaps, but I had wound it up the night before—I mean I had not worn it in my pocket—the wall is about sixteen feet high—there are some steps by which a person might be *shoved* up to get on the stable—the street door was standing open when I went to bed—it was not even shut to—if a person had broken out instead of break-

ing in, he would not have had to make the opening in the stable, as the wall is lower, close to the kitchen window, and he could have got through.

GUILTY. Aged 18.—Transported for Ten Years.

Before Mr. Baron Parke.

237. EDMUND LEFEVRE was indicted for stealing, on the 25th of October, 2 tame rabbits, price 3*s*., the property of William Everall.

WILLIAM EVERALL. I am employed on the London and Greenwich railway, and live in Charles-street, Deptford. I keep rabbits, and lost two a little before two o'clock on the 25th of October—I had seen them the night before—my garden meets the gardens of the houses in Waterloo-place.

WILLIAM MURRAY. I am a policeman. I was on duty at Deptford in the New Cross-road on the 25th of October—I met the prisoner at ten minutes after one o'clock at night—there was something apparently alive in his arms—I stopped him, asked him what he had got, and a live rabbit fell from the front of his shirt—he had another in his arm—I took them both in my charge—I asked him how he got them—he said, "They are mine, I bought them at Chatham"—he was four houses from Waterloo-place—I took him to the station-house—I afterwards went into the garden of one of the houses behind Charles-street, and saw marks of naked feet in the garden of No. 8, and also in the prosecutor's garden—the prisoner had no shoes on when I met him—I compared the length and breadth of the footmarks in the prosecutor's garden, and it corresponded with his feet. (*Property produced and sworn to.*)

GUILTY.

238. EDMUND LEFEVRE was *again* indicted for stealing, on the 25th of October, 1 shift, value 6*d*.; 15 caps, value 5*s*.; 8 shirts, value 2*s*.; 3 handkerchiefs, value 9*d*.; 1 pair of stockings, value 6*d*.; 1 curtain, value 3*d*.; 2 rollers, value 2*d*.; and 5 yards of net, value 3*d*.; the goods of John Trapp.

MARY ANN TRAPP. I am the wife of John Trapp, of Charles-street. On the night of the 24th of October I left a child's shift and other linen hanging in my garden—I missed it the following morning.

WILLIAM MURRAY. I am a policeman. On the morning of the 25th of October, I apprehended the prisoner—in the station-house his cap fell off—I found in it a child's shirt or shift, which Smith has.

WILLIAM SMITH. I am a policeman. When the prisoner's cap fell off I took it up, and found this shift in it, wet—I asked him where he brought it from—he said, from Chatham, where he brought the rabbits from.

WILLIAM CROWLEY. I am a policeman. I went to the garden at the back of Mr. Trapp's house, and found a bundle of wet linen in a shed there tied up. (*Property produced and sworn to.*)

GUILTY. Aged 31.—Transported for Seven Years.

Before Mr. Recorder.

239. MARY WARD was indicted for stealing, on the 16th of November, 1 watch, value 1*l*.; 1 watch-key, value 1*d*.; and 2 split rings, value 2*d*.; the goods of John Taylor, from his person.

JOHN TAYLOR. I am a mariner, and live in New-street, Deptford. On the 16th of November I went into the Eight Bells at Greenwich, with

some shipmates, a little after ten o'clock—the prisoner came in in about half an hour, and after some time I asked her to drink—she followed me when I went out, and I took her to a house and had a pot of beer—we were there about three quarters of an hour—I walked with her afterwards, and went to a room with her in Rose-street—a woman came out of the house there, and drove us away, and then the prisoner caught hold of the ribbon of my watch, hustled it out, and ran away—I ran after her, but could not see her—I went back to the house with a policeman and found her—she took the watch out of her bosom and dropped it down at her feet—the policeman took her in charge—I am sure she took it from my fob.

Prisoner. The watch fell while * * * * * * *Witness.* It is not true—nothing of the sort took place—the watch was never out of my fob till she took it.

JOSEPH HOLLOWAY (*police-constable R* 197.) The prosecutor told me of his loss—I went with him to a house which he pointed out, and found the prisoner there—he said, "That is the one who stole my watch"—she said, "No, I never stole your watch, and I know nothing about it"—at the same time she put her hand into her bosom and took something from it—I made towards her, and she dropped the watch on the floor—I said, "You must go with me"—she said, "No, you have got what you want, you have nothing more to do with me—I have nothing more of his."

(*Property produced and sworn to.*)

Prisoner. It is my first offence.

GUILTY. Aged 32.—Transported for Ten Years.

Before Mr. Sergeant Arabin.

240. HENRY JONES was indicted for stealing, on the 21st of November, 80lbs. weight of salt, value 1*s.* 6*d.*; the goods of James Barrow Palmer.

JAMES BARROW PALMER. I am a salt merchant, and live in Lower Thames-street. The prisoner was a servant of Mr. Worthington, who contracted to do my work—on the 21st of November he was entrusted with several parcels of salt to take to different customers, and until the night before last I believed it was one of those parcels that was stolen—but I find that to be a mistake—the salt found upon him was not to be delivered to any one—it was put into the cart without my knowledge—I only know this from his having it in my cart, and having no other property in the cart but what was mine—it is impossible to swear to salt.

BENJAMIN LOVELL. I am a policeman. I was on duty between eight and nine o'clock on the 21st of November, and saw the prisoner with the cart standing at the end of Mill-lane, Deptford, in company with a man named Turner, who I knew—I placed myself by the side of a wall—I saw Turner go down Church-lane to Woolf's shop—he then returned and the prisoner took the horse and cart down to Woolf's—he delivered the salt there—I followed him, and asked him if he had been delivering salt—he said yes, he had, for his mother—I took him to the station-house—he then said he had been to Woolwich, for Mr. Palmer, of Thames-street.

HAMMOND SMITH. I am a policeman. I asked the prisoner whose salt it was—he said it was his, it was overplus.

JAMES BARROW PALMER *re-examined.* There is a small overplus of salt

allowed, but not to the carman—we generally give over-weight to customers, and if so, the men take it.

FREDERICK WOOLF. I bought half a hundred weight of salt of the prisoner for a shilling, which is the wholesale price—he represented that he was a hawker of salt—that he had been from London with a load that day, he had only half a hundred-weight left, and he should feel obliged if I would take it of him, as he did not want to drag it back to London—he brought it to my door with another person, and unloaded it on a form opposite the door, where it remained till Lovell came up and said it was stolen.

NOT GUILTY.

Before Mr. Baron Parke.

241. SAMUEL BRITCHER was indicted for a robbery on Joseph Cooper, on the 24th of November, putting him in fear, and taking from his person and against his will, 1 shilling, 1 penny, and 2 halfpence, his monies.

JOSEPH COOPER. I am a labourer, in the employ of Mr. Walker, a horse-dealer at Birmingham. On Sunday, November 24th, I was at the Roebuck public-house at Lewisham—I had been taking some horses for my master—I saw the prisoner there—we were in the tap-room together for about half or three-quarters of an hour—he asked if I was not the young man that went up with the young man named Bromney with some colts—I said I was, and asked him if I was likely to get a bed at that house to-night—he went and inquired, and said it was full—I said, "Then I must go on to Hampstead, I have to be at the fair on Monday"—he said he was going that way, and would show me the way—I set out with him, in company with three women and another man, about nine o'clock—as we went along, instead of taking me the direct road, he brought me along the canal side—the man and women went with me, and when we got about twenty yards along the canal side, I said he was taking me the wrong way, and turned to go back, but he flung his left arm round my waist, pressed his right hand on my right arm, put his hand in my left breeches-pocket, and took out one shilling and two-pence—I caught hold of his hand, and told him he had robbed me—he said, "Robbed you! I have done no such thing," and he rushed his hand towards the woman's hand—I said, "I will go and fetch a policeman"—the woman said immediately, "What does he say you have done?"—he said, "He says, I have robbed him," he said, "If you say that again, I will throw you into the river," and the woman said, "Throw him in"—I said no more, but bade him good night, went along the railing, and turned to the left—I walked fast, and then ran—they did not follow me—I overtook three men, and asked if there was a policeman about—they said there was none in the parish, but I turned back and met Lonergan right opposite the road that leads to the canal, and about a hundred yards from where I was robbed—I pointed out the spot where I was robbed to him—he got assistance from the station-house, and we went to several houses, but could not find the prisoner, but as we came back we met him and one of the women coming round the paling—I pointed him out, and he caught hold of him.

Cross-examined by MR. PAYNE. *Q.* What had you been about that Sunday evening? *A.* I was coming down from Sevenoaks—I had been taking some horses down, and as I was coming back I went into the public-house—I drank with them there, and tossed for a quartern of gin and a pennyworth of tobacco—I was quite sober—I did not attempt to take

liberties with any of the women—I had only been engaged by my master a few days before at the fair—I cannot say how far I found the prisoner from where I was robbed—I was a stranger to the place—I was turning round the palings to go to Deptford—the house is the Roebuck at Lewisham—there were three women of the prisoner's party, but no one else interfered with me, neither the man nor the women—he left a halfpenny in my pocket—I had no mark on the shilling.

DANIEL LONERGAN. I am a watchman of Lewisham. On Sunday night last I was on duty near the Plough public-house—the prosecutor came and gave me information—we went to different public-houses, and met the prisoner with a woman—I took him into custody—the woman ran away directly—I found a key and one shilling on him—he gave me the shilling.

Cross-examined. *Q.* How far did you find the prisoner from the Roebuck public-house? *A.* About a quarter of a mile—the Roebuck is not in the high road—the Duke of York public-house is at Greenwich, between the Roebuck and where I found him—I do not know where he lives—the George public-house is near the Duke of York—the prisoner gave me the shilling—I did not know him.

COURT. *Q.* Is there any paling near the canal? *A.* Yes—I was present when the prisoner was examined—I know the Magistrate's writing—this is his writing—(*looking at it*)—I do not know whether the prisoner was asked to sign it—it was read over to him, and signed by the Magistrate afterwards—(*read*)—"The prisoner says I met with the lad, and a woman came and asked me to walk to Deptford—the woman and the young man were having a little conversation by the paling—I went up, and he said I had robbed him."

JOSEPH COOPER *re-examined.* I dare say I was a hundred yards from the public-house when I was robbed—the woman asked me about the country, and one thing and another—if I had called out I do not think I could have been heard at the public-house—I bid the prisoner good night because he said he would throw me into the water—the first person I met was about forty yards off.

MR. PAYNE *called*

—— COLE. I keep the Duke of York public-house, at Greenwich. I have known the prisoner three weeks—on Sunday night, the 24th of November, at a quarter before eleven o'clock, he borrowed 1*s.* of me—he has been ostler at the George public-house three or four years.

DANIEL LONERGAN *re-examined.* I took him into custod yabout eleven o'clock.

(The prisoner received a good character.)

GUILTY. Aged 20.—Confined Twelve Months.

Before Mr. Recorder.

242. JOHN REDDON was indicted for stealing, on the 2nd of November, 1 pair of trowsers, value 5*s.* 6*d.*, the goods of Robert Webb.

ROBERT WEBB. I am a clothier, and live in Flagon-row, Deptford. On the 2nd of November I saw the prisoner on the opposite side of the way to my shop, and shortly afterwards missed a pair of trowsers from within the doorway—it was about a quarter to seven o'clock.

JOSEPH FANSHON. I am an apprentice to Mr. Durham, pawnbroker, New King-street. On the 2nd of November, between six and seven o'clock, the prisoner pawned a pair of trowsers in the name of John Reddon for 6*s.*—I have not a doubt of him.

JAMES CONNER. I am a policeman. I apprehended the prisoner about a quarter to twelve o'clock at night—I asked him if his name was Reddon—he said it was—I found 2*s.* 3*d.* on him.

(*Property produced and sworn to.*)

Prisoner's Defence. I never had them, and never saw them—any body might give my name.

GUILTY. Aged 18.—Confined Three Months.

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243. MATILDA CANNON, *alias Allworth*, and ELIZA DAVIS, *alias Smith*, were indicted for stealing, on the 2nd of November, 1 gown, value 18*d.*, the goods of Francis Lamburn Greenley.

ROSINA MAHONEY. I am the daughter of Rebecca Mahoney, and live in Queen's-court, Deptford. On the 2nd of November, in the forenoon, I went into the shop of Mr. Greenley, pawnbroker, Broomfield-place, and saw Davis standing by the window with another woman—I did not know it was Cannon—Davis said to me, "It is a wet morning, Miss"—I did not know her before—as I was going into the shop I saw her with the gown in her hand, and as I walked through the passage I saw her take it off the rails by the shop door—she held it up, and put it under her apron—the other woman was close to her, and could see what she did—while I was gone to tell the prosecutor, they both walked away with the gown—I told the shopman, and he went to look for them.

Davis. When the Magistrate spoke to her she turned round several times to her mother, and said, "Do I say right?" and she said, "Yes." *Witness.* I do not recollect any thing of the kind.

THOMAS JAMES CAVANNAH. I am shopman to Mr. Francis Lamburn Greenley, a pawnbroker. Mahoney informed me of this—I went to the door, and saw a female running—I pursued—she ran into a gateway, and closed the door after her—I pushed it open, and found both the prisoners—I laid hold of Cannon first—Davis was standing behind the door, and the gown laying by her side inside—I am sure the girl I saw running entered the door, but I did not know who it was—when I laid hold of Cannon she said, "I have not got it," and pointed to the gown, which was by the side of Davis.

JOSEPH CORNELL. The prisoners were given into my custody—I have the gown—Davis said to Cannon, going to the station-house, "We are *done* now."

Davis. He is saying quite false; I never said such a word.

(*Property produced and sworn to.*)

CANNON—NOT GUILTY.

DAVIS—GUILTY. Aged 17.—Confined Six Months.

Before Mr. Sergeant Arabin.

244. WILLIAM EMMERSON and JOHN FREDERICK were indicted for stealing, on the 24th of November, 1 dish, value 6*d.*; 2 lbs. weight of beef, value 1*s.* 8*d.*; and 1 lb. weight of mutton, value 8*d.*; the goods of Frederick Woolfe; and that Emmerson had been previously convicted of felony.

SARAH WOOLFE. I am the wife of Frederick Woolfe, a butcher in Church-street, Deptford. On the 24th of November, about nine o'clock in the evening, I was coming out of the back parlour into the shop, and observed Emmerson take a dish off the counter, containing some cooked meat—the other prisoner stood outside the window—I called my husband

and pointed them out going down the street together—I missed a piece beef and other meat.

Cross-examined by MR. HORRY. Q. Did you give an alarm? *A.* Immediately to my husband, who was in the back parlour.

BENJAMIN LOVELL. I am a policeman. They were given into my custody—Mrs. Woolfe identified Emmerson as taking the meat out of the shop.

HENRY GUY. I am a policeman. In consequence of information from a brother officer, I went and found a small portion of the meat lying in the kennel in Church-street.

Emmerson's Defence. I was coming out of a public-house, and heard somebody call, "Stop thief"—the prosecutor came up and said I had stolen the meat—somebody came up and said I had not stolen it, but some other young man—he then went and caught hold of Frederick, and kicked and ill-used him tremendously.

HENRY GUY *re-examined.* I produce a certificate of Emmerson's former conviction—(*read*)—I was a witness on his trial—he is the same person.

EMMERSON—GUILTY. Aged 17.—Transported for Seven Years.

FREDERICK—NOT GUILTY.

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245. CHARLES COOMBS, CHARLES ELLIOTT, and THOMAS BROAD, were indicted for a riot and assaulting certain police officers in the execution of their duty.

MR. CHAMBERS, *on the part of the prosecution, declined offering any evidence against Elliott, who was acquitted.*

WILLIAM GEORGE OSBORNE (*police-sergeant R* 13.) I was on duty at Greenwich, about eleven o'clock, on the night of the 26th of October, and saw Coombs in Church-street, very drunk indeed—when he saw me, he said, "Down with the b—— police; I will kill all the b—— b——"—I told him to go home quietly—he directly kicked me on the left side of my thigh—I took him into custody—Baker, another constable, came up, and he also kicked him—a great crowd collected—Harding, another constable, came up, and he kicked and assaulted him likewise—a general riot then took place—between 200 and 300 persons assembled—the prisoner Broad came up and said, "Take him away"—they were hustling round the constables, and taking their numbers—I saw Broad with something in his hand like a pencil and paper; but the place was so dark I could not exactly see what it was—when he said "Take him away," Coombs was on the ground, and I was pinned up against the wall—I and Baker had Coombs in custody, but the crowd surrounded us so much we could not take him away—he was taken out of my custody twice; but I retook him, and he was taken on the stretcher to the station-house—I lost my hat in the *row*, and recovered it on Monday morning—this is it—(*producing a broken hat*)—besides being kicked by Coombs, I was struck by other persons behind, I cannot say who—some of the crowd said, "Down with them," and words to that effect; and some, "Give it them, *Deptford*," alluding to the *row* at Deptford, where the policeman was killed.

Cross-examined by MR. PAYNE. Q. Where was it you first saw Coombs? *A.* In Church-street—I saw him come out of a doctor's shop in Nelson-street and go down Church-street—he was calling out against the police—I do not know that he lived in Bridge-street—he was an utter stranger to me—I did not inquire where he lived—he was very drunk—he was bleed-

ing very much from the lip and mouth—after I retook him I threw him down on the ground, and he laid there till I got him on the stretcher—I cannot say whether his clothes were much injured—they were dirty from his rolling in the mud—I did not examine to see whether they were torn—when before the Magistrate, he said he was very sorry—I believe he is a sailor—I went into the doctor's shop, and was told he had been struck down by another policeman, before, on the same night, and that was what he was in the doctor's shop being dressed for.

WILLIAM HARDING. I am a policeman. I came up when Osborne was trying to take Coombs, who was on the ground, kicking and struggling to get away—he kicked me very violently in the legs two or three times, and once in the * * * which caused blood to run for three days afterwards, and I was obliged to lay still eight nights—Broad came up while I had Coombs against the wall, and said, "I shall take your number"—he took me by the collar, and said, "Take the prisoner away," several times—I said he had better go home, and not interfere with us, or I should take him into custody—he said nothing more than "Take the prisoner away"—I was thrown down in the road and jumped upon, and a female dragged me across the road by the hair of my head—my hat got broken, and I was smothered with mud—the mob consisted of two or three hundred.

Cross-examined. *Q.* It was Saturday night, was it not? *A.* Yes—there were a good many people about, going to market—one rattle was sprung at the commencement, none after—I was not present at the beginning—when I first went up there were upwards of three hundred people there—I cannot say whether Coombs was on the ground or not—there was such a struggle and confusion—I fell with him, he undermost—I heard him say, "Don't let me go away—don't let the barbarous b——s take me away"—he was the worse for liquor—I saw Broad first at the corner of a shoemaker's shop in Broad-street, and told him to go away several times.

Broad. *Q.* You know me? *A.* Yes—I have known you for the last three months—I never saw you in any disturbance before—you did not go away—you were there from the first to the last of it.

GEORGE BAKER. I am a policeman. I came up and saw Coombs—when he saw me he said, "Here is another coming—if I had a knife, I would stick him"—I requested him to go home—he kicked me inside my thigh two or three times, and on the hip, and struck me on the nose, and made it bleed—Broad came and took hold of my collar, and said he should take the prisoner away from us—I said the prisoner was in our custody, if he had any thing to say in his behalf he had better leave the mob, and go down to the station-house with him—I did not see him do any thing else—Harding was taken away from the prisoner—taken into the road, and knocked down, and they said, "Keep him down."

Cross-examined. *Q.* Was Coombs bleeding at all? *A.* Yes.

GEORGE HARRIS. I am a policeman. I came up while the police were attempting to take Coombs to the station-house—directly I came up he kicked me, and struck me right and left with his fist—a man had him round the waist, trying to get him away—that man said, "You b——— murdering b———s, you shan't take him"—there was a large crowd—they were hissing and hooting, and calling out, "Don't let him go"—I said, "If you intend to ill-treat us, we will not ill-treat you—I will go for the stretcher"—I went to the College for the stretcher, and returned in about

a quarter of an hour—I found Coombs about one hundred yards from where I had left him, lying on the pavement at the corner of Lamb-lane and Broad standing by—I was again struck by Coombs while putting him on the stretcher.

Cross-examined. *Q.* Was not his address given as Bridge-street *A.* I do not know—I only went part of the way to the station-house—another constable relieved me—the address he gave before the Magistrate was, "Charles Coombs, Bridge-street, sailor"—Lamb-lane is a little way down Bridge-street.

MR. CHAMBERS. *Q.* Why did you put him on the stretcher? *A.* Because he was so violent—he would not walk—he was strapped on in the usual way in which we take drunken men to the station-house.

Broad. *Q.* Where did you see me? *A.* At the corner of Lamb-lane—you were not doing any thing at that time—you have always been a sober, industrious, hard-working young man, from what I have known of you—I never saw you in any thing of the kind before.

(*The prisoner Broad put in a written defence, in which he disclaimed all interference with the police; and stated that, upon returning home on the night in question, he saw Coombs, whom he had never before seen, lying on the ground bleeding, and a woman, who was stated to be his mother, leaning over him. He merely stooped to tell him to go home, and upon rising up for the first time saw a policeman standing near him, who told him to be off about his business. He then got out of the crowd, and waited at the corner of Lamb-lane, when he was taken into custody. He denied taking the number of any of the police, and declared he had neither paper nor pencil with him at the time.*)

WILLIAM GEORGE OSBORNE *re-examined.* Broad said, "Take him away"—I cannot say who it was said to.

COOMBS—GUILTY.—Of an Assault only.—Confined One Year.
BROAD—GUILTY.—*Recommended to mercy.*—Confined Three Months.

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246. GEORGE HOLT was indicted for stealing, on the 12th of November, 1 pewter pot, value 6*d.*, the goods of a man unknown: also, on the 11th of November, 25lbs. weight of cheese, value 15*s.*, the goods of James Gray; and that he had been before convicted of felony; to which he pleaded

GUILTY. Aged 20.—Transported for Seven Years.

Before Mr. Common Sergeant.

247. JOHN WILLIAMS was indicted for stealing, on the 11th of November, 12lbs. weight of lead, value 2*s.*; the goods of Joseph Clarkson to which he pleaded

GUILTY. Aged 19.—Confined Three Months.

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248. JAMES MOSS was indicted for stealing, on the 30th of October, 1 trowel, value 2*s.*, the goods of William Smith.

WILLIAM SMITH. I am apprentice to James Smith, a bricklayer. On the 29th of October I left a trowel on the top of a building at Lewisham—I afterwards missed it—this is it—(*looking at it.*)

THOMAS CROOSLEY. I am an apprentice to a pawnbroker—the prisoner pawned this trowel on the 30th of October.

JAMES SMITH. I saw Smith put this trowel on the top of the house, as he was leaving work—I saw the prisoner at work on the building the next day.

Prisoner. I sent for 1*s.*, to get me a dinner—it did not come, and I pawned the trowel, intending to redeem it—I have five small children.

GUILTY. Aged 36.—*Recommended to mercy.*—Confined Six Days.

249. WILLIAM HOLLAND was indicted for stealing, on the 26th of October, 6 wooden boards, value 4*s.* 6*d.*, the goods of William Coppard Banks, his master.

WILLIAM COPPARD BANKS. I am a builder, and live at Lewisham; the prisoner was employed by me as a carpenter. On the 24th or 26th of October I lost six deal boards, I believe this to be one of them—they are what we call a two-inch deal, by which I can identify them—it is a sort we do not always get in the market—I do not hesitate to say these are mine.

Cross-examined by MR. PAYNE. Q. When did you miss them? *A.* On a Saturday—I had seen them safe the same day—there is no particular mark on them—they are one-inch boards since they have been cut, but they were two-inch—the prisoner had no right to do any work for himself—he gave bail, and has surrendered.

ANNE ROLFE. I am in the prosecutor's service. On Saturday, about half-past eleven o'clock, I was coming out of a grocer's shop, two or three doors from my master's, and saw the prisoner come out of my master's with five or six of these sort of deal boards on his shoulder.

GEORGE BARTON. I am a constable. I took the prisoner—he said he had taken the deals to make a chest of drawers with—that they were at his house, and he intended to pay his master for them that night.

(The prisoner received a good character.)

GUILTY.—*Recommended to mercy.*—Confined One Month.

Before Mr. Sergeant Arabin.

250. WILLIAM CHANDLER and JAMES KENNEDY were indicted for stealing, on the 21st of November, 1 plane, value 3*s.*, and 1 square, value 1*s.*; the goods of Henry Wade Smith; and that Chandler had been before convicted of felony: to which Chandler pleaded

GUILTY. Aged 11.—Transported for Seven Years—Convict Ship.

JAMES HAIRSINE. I am a policeman. I met the prisoners on the 21st of November, in Old Kent-road, at half-past six o'clock—Chandler appeared bulky—I asked what he had got, and he produced a plane—I asked if he had any thing else, and he produced a square—he said he was a carpenter, looking for work.

HENRY WADE SMITH. I am a builder. I lost my tools from Gravesend—this plane and square are mine—the shop they were left in was padlocked.

KENNEDY—NOT GUILTY.

251. MARY SMITH and MARY ANN SMITH were indicted for stealing, on the 23rd of November, 1 handkerchief, value 3*d.*; 1 bag, value 1*d.*; 5 half-crowns, 2 shillings, and 1 sixpence; the property of John Reid, from his person.

JOHN REID. I am a sailor in the coal-trade. I was in company with the prisoners and another woman at Deptford on the 23rd of November—I was rather the worse for liquor—I had a leather bag in my left hand trowsers' pocket, which had in it the money stated—I missed it in the street, and charged the prisoners with having robbed me—I had been

drinking with them just before at a public-house—this is my bag, which I lost—I had a handkerchief also taken out of my pocket.

JOHN EVANS (*police-constable R* 190.) I was on duty in High-street, Deptford—I was passing the end of Dowling-street—I heard a number of persons talking—I listened, and went down—I saw the prosecutor holding Mary Smith by the hand—he said she had robbed him of a bag with 15*s.* in it—I took her—she got from me and ran, but I caught her—she got one of her hands from me, took something from her bosom, and dropped it—I sent for a candle, and picked up this purse with 15*s.* in it—I found this handkerchief on her at the station-house—there was nothing found on Mary Ann Smith—the prosecutor had been drinking, but knew what he was about.

CHRISTOPHER CHAPPELL. I saw the prisoners and another woman with the prosecutor—he accused one of them of robbing him—the other woman advised the prisoners to give it up, and one of them, I do not know which, said she would go to the light, and see what was in it—the other woman got away.

MARY SMITH—GUILTY. Aged 26.—Transported for Ten Years.

MARY ANN SMITH—NOT GUILTY.

Before Mr. Recorder.

252. JAMES DRAYCOTT was indicted for stealing, on the 26th of November, 1 toast-rack, value 10*s.*, the goods of John Drake Finch.

MARY REBECCA RICHARDS. I am cook in the service of Mr. John Drake Finch, he lives in South-place, Greenwich. On the 26th of November I was sweeping the area steps, and heard a noise at the pantry window—I afterwards heard a noise again, as of silver rattling, and then the window shut down—I then saw the prisoner outside the gate, as if he had just gone out—he held his hand up to me, as if he had something to sell, but I could not see what was in it—the gate he came out at leads to the kitchen as well as to the pantry—it is the housemaid's business to look after the plate, and she is not here—I had put the toast-rack in the pantry a very little while before, and missed it the next day.

NOT GUILTY.

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253. JAMES DRAYCOTT was *again* indicted for stealing, on the 26th of November, 1 coat, value 2*l.*, the goods of Edward Young; to which he pleaded

GUILTY.—Confined Twelve Months.

Before Mr. Sergeant Arabin.

254. JOHN COULDRY was indicted for stealing, on the 25th of November, 1 truss of hay, value 2*s.* 3*d.*, the goods of George Graham.

JAMES GOODMAN. I am carter to George Graham, who lives at Bexley, in Kent. Last Monday I carried a quarter of a load of hay to Mr. Worth, of Greenwich—I was there about a quarter before five o'clock in the morning—I unloaded the nine trusses, and put it against the loft-door—I then loaded the wagon with dung—about a quarter before six o'clock, when I went to put the hay into the loft, I missed one truss—I traced it along a passage to a stable in a little court, and it had been put over a fence—I called a policeman—he also traced it to the stable-door—the door was locked—I stood by till the prisoner came home about eleven o'clock—the policeman asked him for the key of the stable-door—he

opened the door, and there was my hay, and some other hay on it—the prisoner's horse stood in that stable.

Cross-examined by MR. CHAMBERS. *Q.* Your hay was tied up with straw bands, was it not? *A.* Yes—I did not find any straw in the stable—the prisoner said he had bought some hay of Mr. Wybourne.

JOHN WYBOURNE. I sold the prisoner a truss of hay on the 24th—I saw the hay that he was accused of stealing—it was not what I sold him.

JAMES PARRY (*police-sergeant R* 8.) I took the prisoner—I asked him where he got his hay—he said he had bought it of Mr. Wybourne—I said, "You have had no other hay this morning?"—he said "No."

NOT GUILTY.

Before Mr. Common Sergeant.

255. JOHN MIXTED was indicted for stealing, on the 28th of November, 1 round frock, value 1*s.* 6*d.*; and 1 block bill, value 2*s.*, the goods of John Weeks, to which he pleaded

GUILTY.—Confined Three Months.

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256. MARY ANN HOLLOWELL was indicted for stealing, on the 29th of November, 1 shawl, value 3*s.*, the goods of John Sims.

HARRIET SIMS. I am the wife of John Sims, a tailor, who lives at Portsmouth. On the 29th of November I was with my husband at the Cricketers' public-house at Greenwich—he got into a quarrel, and I fell into hysterics—I had put my shawl on the end of the table, and when I got better I saw the prisoner take it from the table and put it into her pocket—when I came to my speech, I said to my husband, "That woman has taken my shawl"—I spoke to the landlord, and he told me to get a policeman—this is my shawl (*looking at it.*)

JOHN DOWSON. I am a pawnbroker. This shawl was pawned by the prisoner, on the 29th of November.

ANN THOROGOOD. I am the wife of John Thorogood. When the prisoner was brought to the station-house, I searched her, and found this duplicate of the shawl on her.

GUILTY.—Confined Three Months.

SURREY CASES.

Before Mr. Recorder.

257. RICHARD HENRY GREEN was indicted for stealing, on the 29th of October, 1 pair of trowsers, value 10*s.*; 6 pairs of stockings, value 4*s*; 4 handkerchiefs, value 6*s.*; 3 brushes, value 2*s.*; 1 pair of trowsers, value 3*s.* 6*d.*; 2 waistcoats, value 4*s.*; and 1 pair of gloves, value 6*d.*, the goods of Thomas Cole, his master; to which he pleaded

GUILTY. Aged 14.—Confined Three Months.

Before Mr. Sergeant Arabin.

258. JAMES GODWIN was indicted for stealing, on the 25th of October, 22lbs. weight of lead, value 3*s.* 6*d.*, the goods of John Brighton, his master.

JOHN BRIGHTON. I am a plumber, and live in Tooley-street—the prisoner was in my employ for three months, as a labourer. On the 25th of October I left home at twelve o'clock, and went into the Borough—I returned in about twenty-five minutes, and met the prisoner going along a

street where he had no business, as I had left him in charge of the shop till I came home—I followed him into a marine-store shop—he went through the shop into the parlour, unbuttoned his clothes, pulled out a bit of lead, and put it on the hob—I then called out, "That is it, is it?"—he then turned and saw me—the man belonging to the shop was in the parlour with his wife—I said I would have a policeman—they begged I would not—I attempted to call out, but they shut the parlour-door, and shut me in—the prisoner said he would walk to the shop with me—I came out with him, and he attempted to escape, but I held him till the policeman came—I know the lead to be mine—he had no business with it.

Cross-examined by MR. CLARKSON. *Q.* How do you know it? *A.* I saw it standing in the shop at twelve o'clock, and when I returned home I missed it from that place—I purchased it in the whole sheet—there is no mark on it.

PATRICK M'CORMACK. I was sent for, and took the prisoner into custody.

GUILTY. Aged 28.—Confined Six Months.

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259. HENRY PAINTER was indicted for stealing, on the 8th of October, 1 watch, value 2*l.*; 1 shirt, value 6*s.*; 1 handkerchief, value 5*s.*; 4 sovereigns, 1 half-sovereign, and 5 shillings, the property of Richard Rutt, in the dwelling-house of John Jones; to which he pleaded

GUILTY. Aged 20.—Confined Six Months.

Before Mr. Baron Parke.

260. WILLIAM WHITCHELOW was indicted for stealing, on the 3rd of November, 1 watch, value 18*s.*; 2 waistcoats, value 4*s.*; 1 pair of trowsers, value 2*s.*; 1 handkerchief, value 3*s.*; 4 sovereigns, and 5 half-sovereigns; the property of William Spiers, in the dwelling-house of William Spiers.

RICHARD SPIERS. I live in Southampton-street, in the parish of St. Giles, Camberwell, with my father, William Spiers—it is his house. I bought a silver watch of the prisoner about five weeks ago—I did not wear it at all, but gave it to my mother to take care of, in the course of the day, and did not see it again till it was at the pawnbroker's—I had a box with one sovereign in money in it in the house, and there were three sovereigns and five half-sovereigns in a small box in another room—my own box was in my own bed-room, and there was a half-sovereign lying on a table in the room—the other box was in my mother's care—on the 3rd of November I went up stairs to get some money, as my mother asked me to let her have a few shillings, and I found the box broken open—I had seen that box about a fortnight before—my watch was not in that box—I missed the three sovereigns and five half-sovereigns—I missed a sovereign from my own box, which was also broken open—I had seen that box safe a fortnight before—I did not see my mother's small box a fortnight before, as I did not know where she kept it—the prisoner was in the habit of coming to my father's house for three or four months—he used to work with me, and came backwards and forwards to the house every other day.

ELIZABETH SPIERS. I am the prosecutor's mother. I received a watch from him, and put it into a drawer in a room next to my own—I did not see it again—I should know it again—my son gave me 4*l.* to take care of for him—I put them into a small box in my room—the box was found

opened by a false key, on the 3rd of November, and two strange keys were found in the room, one of which opened the box—my son's box was broken open, and his purse and money was gone—I do not think I had seen that box before for some considerable time—the prisoner was in the habit of coming to our house, and knew where every thing was—I had been assisting him for some time when he was out of work, as his master discharged him at a moment's notice.

JOHN WHARTON. I am a pawnbroker, and live in Crosby-row, Walworth. I produce a watch which was pawned at my shop on the 6th of November, by Mary Ann Broad.

MARY ANN BROAD. I am sister to the prisoner. I pledged a watch which I received from my sister Elizabeth, who is in service at Mr. Wither's, at Camberwell—she is not here—I took it home, went to the prisoner, and questioned him about it, as I heard Mr. Spiers had lost a watch—I told him I had received a watch from Elizabeth, and was that the watch, and had he come by it dishonestly—he said no, he had not, the watch he sold Mrs. Spiers was a silver one, which he gave 10*s.* 6*d.* for, and this one he gave 8*s.* for—I begged him to tell the truth, that I might take it back to the owner, if it was hers—he said that it was not hers, that he paid 5*s.* for it at one time, 1*s.* at another, and 2*s.* he borrowed of his sister, to pay the rest—the money which he got from the pawnbroker was laid out on his mother, who was lying on a sick-bed—it was pawned to assist her.

JAMES BARNETT. I am a policeman. I apprehended the prisoner on the 3rd of November, and told him I took him for a robbery at Mrs. Spiers', of a watch, money, and other articles—he said he knew nothing of the robbery—I took him to the station-house—I went to different pawnbrokers to find the property—I was present when the prisoner was examined before the Magistrate—(*looking at the examination*)—this is Mr. Jeremy's, the Magistrate's signature—(*read*)—"The prisoner says the watch produced is not the watch sold to Spiers—it was a metal-cased watch—I know nothing about the money—I sold the watch now produced to my sister Elizabeth."

RICHARD SPIERS *re-examined*. I am sure this is the watch I bought of him, I know it by a piece broken out of the edge of the case—I examined it when I bought it, sufficiently to identify it—I gave 18*s.* for it.

MRS. SPIERS *re-examined*. I know the watch to be the same.

Prisoner. The watch the son bought of me had an old metal case to it, but it is silver inside. *Witness*. There is no other case to it—he gave it to me, and was saving his money to change it away, to get a silver watch.

GUILTY. Aged 16.—Of stealing the watch.—*Recommended to mercy.*
—Confined Six Months.

Before Mr. Baron Parke.

261. MARGARET JARVIS was indicted for unlawfully, maliciously, and feloniously assaulting Harriet Watson, on the 20th of November, and cutting and wounding her upon her head, with intent to maim and disable her.—2nd COUNT, stating her intent to be to do her some grievous bodily harm.

HARRIET WATSON. I am the wife of William Watson, a labourer, at Battersea. On the 20th of November, about eight o'clock in the evening, I was speaking to the prisoner's husband in Bridge-road, Battersea, begging

of him, as the prisoner had several times ill-treated my children, to speak to her, to keep her quiet till I moved, as she had several times beaten them in my absence—the prisoner came up with a small poker, with a brass top, in her hand, struck me first over the left side of my head, and inflicted a severe cut, and then on the right side of my head, which was cut, and a third blow on the arm, which bruised it—she then threw the poker into the road, and dragged me by the hair down on my knees, used a bad expression, and said she would finish me—I could not struggle with her, for the blows stunned me—I do not know what became of me afterwards—I was taken away—I came to myself about half-past nine, or near ten o'clock in the evening—I was then in my own cottage.

Cross-examined by MR. JONES. *Q.* Did you call her any names? *A.* I had not seen her all day—I was not aware that she was coming up to strike me—I did not apply any bad name to her in talking to her husband—I did not say, "Your b—— of a wife"—I swear that—I had seen her the day before, and complained to her about her son—it was the children disagreeing that caused all the mischief—I did not desire her to beat her son, but to keep him from my children—we had no quarrel, first or last—I have a daughter about fourteen years old—she said nothing to the prisoner in my hearing—the prisoner did not complain that my daughter had abused her—she did not say a word till she struck the blow—her husband had not said a word to her about what had passed—my husband is in Horsemonger-lane for a little debt—her husband was present when she struck me, and a few neighbours standing at their doors—she came up and struck me without our saying a word to each other.

COURT. *Q.* How far is the prisoner's house from where you were struck? *A.* About twenty or thirty yards—she came out with the poker in her hand, after I had begun to talk to her husband—she could not hear what I said as I spoke in an under tone, not in a passion—I was examined by a surgeon.

THOMAS COLLINS. I live at Battersea. On the 20th of November I was near the prisoner's house about eight o'clock in the evening—I saw the prosecutrix in conversation with the prisoner's husband—I did not hear what they said—while they were talking the prisoner was round the corner with a poker in her hand—she had the poker before they began to talk—she went and hit Mrs. Watson three different times, once on each side of her head—she hit her very hard—it was a small iron poker—when she hit her on the arm, it hit her husband's basin and plate—she then threw the poker into the road—her husband picked it up and took it in doors—the prisoner then hugged Mrs. Watson up as tight as she could, and kept smacking her in the face—I could not see whether it was with her fist or open hand—she threw her on her knees and she fell against the wall—she said she would murder her before she had done with her—Mrs. Watson did not struggle at all, nor strike her—my sister and a man went and parted them, and took Mrs. Watson in-doors.

Cross-examined. *Q.* Did the prisoner say any thing to Mrs. Watson before she struck her? *A.* Not that I heard, I was not near enough to hear—I know it was a poker—it sounded against the wall—when they were up against the wall they were struggling—it lasted a very short time altogether—after they were parted, Mrs. Watson walked into her own house—they led her in—I am not related to her—I live three or four doors from her.

ELIZABETH FERNAY. I live at Battersea. I saw the prisoner strike

Mrs. Watson twice on the head with the poker—they were hard blows—I know of no provocation being given by Mrs. Watson—I afterwards saw some persons trying to part them—Mr. Taylor led Mrs. Watson in-doors—I dare say there was about a quart of blood from her head.

Cross-examined. *Q.* Was it before or after she was led into her house that she fainted? *A.* After—they had not spoken together before this took place, because I was in Mrs. Watson's house, helping her to move—I was almost close to them, near enough to hear if any thing passed.

(The prisoner received a good character.)

GUILTY of an Assault only. Aged 34.—Confined Six Months.

Before Mr. Recorder.

262. JAMES SCOTT was indicted for stealing, on the 6th of November, 1 whip, value 2*s.*, the goods of Thomas Watkinson.

THOMAS WATKINSON. I am a nephew to Thomas Watkinson, a baker, at Tooting Graveney. I lost a light cart-whip on the 6th of November, about a quarter to seven o'clock in the evening, from outside the house of Mr. Holder, on Wimbledon-common, where I was delivering bread—I missed it when I returned to the cart, and also a quartern loaf.

Cross-examined by MR. PAYNE. *Q.* Are you quite sure you saw the whip just before you went into the house? *A.* Yes—I know it again by its having two quills sticking out at the top—I am quite sure it is mine—I could not have dropped it.

CHARLES WREN. I am a baker, and live at Wimbledon. The prisoner was at the Bald-faced Stag public-house, Putney-bottom, on the 7th of November, and I bought this whip of him for 4½*d.*—I was to give him 1*s.* for it, but I gave him a half quartern loaf in part payment—I gave information to the police as soon as I got home, and delivered it up to the policeman.

Cross-examined. *Q.* What time did you buy it? *A.* About a quarter before twelve o'clock—I knew the whip to be the prosecutor's, and bought it with the intention of giving it to him—I told the prisoner it was my friend's whip—he said it could not be, for he found it against West Barnes gate.

NOT GUILTY.

263. PRISCILLA SOPHIA PAGE was indicted for stealing, on the 13th of September, 1 handkerchief, value 5*s.*; 2 pairs of boots, value 8*s.* 6*d.*; 9 pairs of shoes, value 27*s.*; 50 yards of cotton cloth, value 17*s.*; 1 thimble, value 1*s.*; and 1 apron, value 1*s.* 6*d.*; the goods of John Toby, her master.

MR. CHAMBERS *conducted the Prosecution.*

MARY ANN TOBY. I am the wife of John Toby, a shoe-manufacturer, in St. Thomas's-place, Great Dover-road. The prisoner came into our service on the 1st of June—on the 14th of September she came up to my bed-room door, about seven o'clock in the evening, and told me she was very sorry to be going to leave me at a moment's notice, but she had seen her uncle that afternoon, and he wished her to come home—I said I thought it was very strange, as I had been given to understand from her sister that her uncle and her had not been friends for twelve months—she said it was the case—she had her bonnet and shawl on, and when I went down stairs she was gone—that day and the day before we had been packing some shoes up for a foreign order—I missed three or four pairs on the 13th, and five pairs on the 14th, but

I had not the least suspicion of the prisoner till the 7th of this month—I then accompanied the officer to her lodging at Lewisham—I had had their address from her sister—I saw her there, and saw a box which she had had when in my house—the prisoner produced a key, and opened it herself, and in it I found a crape handkerchief, which I had lost from a drawer, but I did not miss it, and could not tell how long it had been lost—I am quite certain it was mine—nothing more was taken out of the box then—next day we went again, and found some more things in the box, which must have been placed there since the first search, as they were not there then—I also found my thimble in a work-basket on the table, and an apron of mine in a drawer down stairs—the prisoner's sister lived in the same house, and she was frequently in the habit of coming to my premises—a pair of shoes were found on the prisoner's feet at the station-house, which was one of the foreign pair.

Cross-examined by MR. PAYNE. *Q.* Had the sister worked from time to time at your house? *A.* Yes, and went home to sleep—I went to their house because I found property on the sister, and had frequently missed property before—she is several years older than the prisoner—the prisoner always conducted herself properly while in my service—the sister continued with me up to the 7th of November—the prisoner lived with a surgeon in Commercial-road for two years and five months before she came to me.

COURT. *Q.* Where did you keep the scarf? *A.* It was packed away in the bottom of a very deep drawer in my bed-room—the sister could not have access to it—she was not a servant—I generally kept my drawer locked, but one Sunday in June I found my drawer upset, and a lavender-bottle broken—her sister was not in the house that Sunday I know.

MR. PAYNE. *Q.* Have you any mark on the scarf? *A.* Not in particular—I did not miss it till the 23rd of September—I had not seen it after June.

THOMAS HICKEY. I am a policeman. I went to Lewisham, and found some things in a box in the house—I produce a thimble and a muslin apron—I found this pair of shoes on the prisoner's feet—she said she had bought them of Mr. Gillham—I found two pairs of boots, and two pairs of shoes in a basket in the house.

Cross-examined. *Q.* What did she say about the handkerchief? *A.* She said it belonged to her sister, that a young man had given it to her at Croydon fair.

ELIZABETH NICHOLSON. I know the prisoner—I saw her wearing this muslin apron on the 1st of November—on the same afternoon I saw her with a silver thimble like this—I said, "Priscilla, what a pretty thimble you have got, where did you buy it, what did you give for it?"—she said, "That's tellings," and said she was found in thimbles.

Cross-examined. *Q.* That is the way young girls talk? *A.* Yes—I do not swear to the thimble, but I do to the apron—I took it up in my hand—I swear to both the ribbon and apron—I am a servant out of place—I was living at Deptford at the time, and saw the prisoner at Lewisham—she came to our house to tea on the 1st of November—I have not known her long, but I was living with her first cousin.

WILLIAM GILLHAM. I am a shoemaker at Greenwich. I never sold these shoes to the prisoner—I deal with the prosecutor—I never bought such shoes of him.

Cross-examined. *Q.* How many pairs may you have sold within the

last few months? *A.* Some hundreds—I swear I never sold these—I have one shop-boy, and occasionally my sister serves in the parlour.

MR. CHAMBERS. *Q.* Have these shoes ever been through your shop? *A.* Never.

GEORGE WARD. I am foreman to Mr. Toby. These shoes are my master's—I prepared them for a foreign order—I cannot say how recently before the prisoner left they were on the premises—when we went to pack up the order, there was nine pairs short—they might have been made five or six weeks before, and were hanging up in the store-room on the first and second floors—the prisoner's sister worked there, and had access to those rooms.

JOHN TOBY. These shoes are my manufacture, and were never sold to any one—they were made for the foreign order—I never sold the prisoner any.

Cross-examined. *Q.* Who makes the shoes? *A.* My men, not myself—it would be impossible for them to make a few pair over—they could not get the materials—I book all the work against them—they could not make any on their own account, I should know it—these have my private mark on them.

MARY ANN TOBY *re-examined.* I know this apron to be mine—it was not an apron when I lost it, but I know the stuff, and the ribbon on it is mine—the thimble is my mother's—she used to work at the top of it, and I at the side—I know it well—two pair of boots and shoes were found in a basket under the bed, covered over with a frock which I knew to be the prisoner's.

(The prisoner received a good character.)

GUILTY. Aged 21.—*Recommended to mercy.*—Confined Three Months.

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264. CAROLINE FRANCES PAGE was indicted for stealing, on the 7th of November, 3¾ yards of calico, value 2*s.*; 1 handkerchief, value 1*s.*; 1 veil, value 2*l.*; and 1 pair of boots, value 5*s.*, the goods of John Toby, her master.

MR. CHAMBERS *conducted the Prosecution.*

MARY ANN TOBY. The prisoner worked for us—on Thursday, the 7th of November, about half-past eight o'clock in the evening, as she was leaving, I told her I was sorry to put an unpleasant question to her—that I had lost a great many things, but never suspected her till the last time she was there at work, and then I missed several articles, which she must have taken away—she said she had not—I said, "I believe you have articles belonging to us about you now"—she said she had not—I called in a policeman, and found under her clothes, between two petticoats, drawn up with a string, 3¾ yds. of long cloth, which I missed from a trunk where she had been sitting at work, and a pocket handkerchief, which I had missed the last time she was at work, was in her pocket—I went with the policeman to search her premises afterwards, and all these other things were found there—in a drawer, of which she had the key, was found a veil, worth 2*l.*, this piece of muslin, and this ribbon, which I had missed the last time she was at work.

Cross-examined by MR. PAYNE. *Q.* Did she say any thing when you found the long cloth? *A.* No, before I found it, she said, if she had any thing, it did not belong to me—I had missed so many things, that I had marked the cloth—I have four pencil marks on it.

COURT. *Q.* How long before the 7th of November had the sister left?

A. On the 14th of September—I missed the shoes and different things before Priscilla left, but not these articles—I began to miss articles on the 9th of July—the prisoner worked at plain needlework, at a shilling a day and her board.

GUILTY. Aged 25.—Confined Three Months.

Before Mr. Sergeant Arabin.

265. WILLIAM WHITTICK was indicted for stealing, on the 30th of October, 2 shirts, value 16*s.*, the goods of Charles Tudor.

MARY KNAPMAN. I am servant to Charles Tudor, of Union-place, Lambeth. On the 30th of October I hung out some clothes to dry, at twelve o'clock, in a garden at the back of the house, which is fenced round with a paling—in consequence of what Mrs. Tudor told me, just before two o'clock, I went and missed a dozen shirts—these are two of them—(*looking at them*)—I know nothing of the prisoner—he could get over the palings.

ROBERT SUTTON. I am a policeman. On the 30th of October I saw the prisoner going over Westminster-bridge about twelve o'clock, in company with two thieves, and about six o'clock in the evening I met him in Old Pye-street—he came up to me—the other two were three or four hundred yards off—he had something under his arm—I asked what he had there—he said, "My old shirt, I had it to be washed"—he had another in his jacket—I said, "What is this?"—he said, "I bought them of a man in the street for a crown"—I took him into custody.

Prisoner's Defence. He never saw me go over the bridge at all—I bought them of a man for 5*s.* at six o'clock at night.

GUILTY.* Aged 18.—Transported for Seven Years.

Before Mr. Recorder.

266. WILLIAM STEYNING was indicted for embezzlement.

HENRY MAW. I am a turner, and live in Little Duke-street, Borough. The prisoner was employed to turn my wheel, and carry out goods occasionally—he was entrusted to receive money on my account—Mrs. Nicholls owed me 16*s.* 7*d.*—I never received that from the prisoner.

WILLIAM PAIN. I work for Mrs. Nicholls, a bedstead-maker in Boundary-row, Blackfriars-road. On the 9th of November I saw her pay the prisoner 16*s.* 7*d.*—he brought this bill with him.

JAMES PERRY. I am a policeman. I apprehended the prisoner—he said he had lost the money out of his trowsers' pocket—I searched him, and found he had no pocket to his trowsers—he had a waistcoat pocket.

Prisoner's Defence. I said I lost it out of my waistcoat pocket—I did receive the money, and lost it out of my pocket coming back—I was afraid to come back, as my master might think I had made away with it—I have had many pounds before, and never lost any.

HENRY MAW *re-examined.* He was about five months in my employ occasionally—he should bring money to me immediately he received it—I sent him for this between eight and nine o'clock in the evening—he absconded, and I saw nothing more of him till the 16th—I had trusted him to collect small sums before, and had no reason to doubt his honesty before—he was quite sober when he went—he had about half-a-mile to go—it was on the 9th of November—I do not know whether there were any crowds about at that time—I gave him 9*s.* a week—I cannot say whether he might have lost it—he was generally steady and sober.

NOT GUILTY.

Before Mr. Common Sergeant.

267. WILLIAM BROWN and JAMES SMITH were indicted for a conspiracy.

MESSRS. BODKIN *and* CHAMBERS *conducted the Prosecution.*

RICHARD CLARKE. I am a coach-maker in Stanhope-place, Southwark-bridge-road. A few days before the 2nd of September Brown came to my shop—he asked if I had a headed phaeton to let on hire—I said, "Yes," and showed him one—he did not approve of it—I showed him another one, for which we agreed—he wished to hire it for three months—he told me he was a ship and insurance broker—that his offices were at No. 13, East India-chambers, and he resided at Blackheath—I saw him again on the 2nd of September, when he brought a memorandum of agreement with him—this is it—he inquired if the phaeton was ready for him—I told him it was, and he produced this memorandum, which he signed in my presence, and he brought another, which I signed—a man from a livery-stable brought a horse, which was harnessed to the phaeton and he drove away—I saw him again repeatedly—in about a week after, he said he would buy the phaeton for a friend of his who liked it, if I would take 30*l.* instead of 35*l.*—I said I could not take that, and then he inquired for a new britska—he looked at one and made me an offer for it—I think I told him 110*l.* as the price—he offered 90*l.*, which I refused—I never agreed to take 90*l.*—he came a great many times after that about the britska—on some of these occasions Smith was with him—Brown came almost every day; perhaps five or six times—I agreed to sell the britska for 95*l.*, a German shutter and some other things were to be added to it—I saw both the prisoners several times—Smith generally came with Brown in a phaeton which was hired of Mr. Gray—on the 16th of September Brown came and asked if his clerk had been there—I did not know who he meant—I said, "No"—he said he should have been there half-an-hour ago, with a check for 100*l.* to pay me for the britska—while we were talking Smith came in with a check for 550*l.*, and gave it into Brown's hand—he said "What do you bring me this check for? this is 550*l.*; you should have brought me a check for 100*l.*"—Smith said that was what Mr. Marsden had given him—Brown scolded Smith for not bringing him the check he ordered—it was dated forward—Brown said to Smith, "This is making it appear as if I wanted to do Mr. Clarke out of the britska"—he said to me, "This is a very vexatious thing that he should have brought this—I can't pay you for it now, and I have made an arrangement to use this carriage—I wanted to use it for two or three days to go into the country—this will entirely put me out of my arrangement"—he told me that Marsden was a friend of his, in the corn-trade—that he had lent him 550*l.* to make purchases in corn, and as corn was getting up, he thought it was a good speculation, and the money was to be paid when he demanded it—that he had seen Marsden and told him he had purchased a new britska and wanted a check for 100*l.* to pay for it; "and now," says he, "I suppose he thinks I want the money, and he has written me out this check, which has a few days to run, thinking it would be of service to him"—he then proposed to give me a bill, and he sent Smith for a stamp—it rained fast and Smith asked if I would lend him an umbrella—I went to get one, but had not one at home—after that Smith went out and was some time gone, and Brown and I had some conversation—I said "A gentleman's word is as good as his bill; I don't require a bill if you will pay me the money before Saturday night"—he said, "The money shall be sure to

be paid before Saturday night"—Smith then returned, and the two prisoners rode away in the britska—a horse and harness was brought to take it—in a day or two, Smith came and asked me for something, as it was usual to allow the servant something—I said, "You are not his groom or servant, you are his clerk"—he said no, he was not, but his servant had asked him to call for him, as he was unable to come from Blackheath to receive it—I said, as Mr. Brown was to pay on Saturday, after I received the money I would give the servant something—Brown came about the 18th or 19th of September, about buying the phaeton—he agreed to buy it for 30*l.*—after that he brought the phaeton he had hired of Mr. Gray, and asked what I would paint it for—he said it belonged to a friend of his—I afterwards found it belonged to Mr. Gray—he said he and his friend would call the next Monday—he did not leave it, and I never saw him again—on the Saturday on which I was to have been paid for the britska, I received a note from Brown—I afterwards found my phaeton at the police-office, and the britska at the Red Lion, Maidenhead.

(*The note being read, stated that Brown had been disappointed and postponed payment for a week.*)

Cross-examined by MR. PAYNE. *Q.* Did Smith at all appear till after Brown took the phaeton? *A.* Not in the hiring—I will not swear as to the first time Smith came—they came at different times—Smith was present when the britska went away—he was not in the shop when Brown and I agreed for 95*l.*—after that, Smith generally came and stood in the street, or at the door—I and Brown were in the shop together—Smith came sometimes alone to see how the alterations were going on—I had written out a bill of parcels and given it to Brown—I think it was on the 17th that Smith came and wanted some money, and I think Brown came the day after, and bought the phaeton at the sum we agreed, and said he should pay for the britska on the 21st, and the phaeton on the 28th—the cheque that Smith brought was to be paid on the 21st, and on the 21st Smith came to me with the note—I believe it was previous to that, that he had called and asked me for something for the servant, but I will not swear it.

Cross-examined by MR. JONES. *Q.* Was Brown a perfect stranger to you when he called, a few days previous to the 2nd of September? *A.* He was—he said he had not a card in his pocket, but he gave me his address, which I wrote down, "No. 13, East India-chambers, Leadenhall-street"—I did not make any inquiries about him—I went there, and saw the name on the side of the passage, "Mr. William Brown," and I thought that had the appearance of respectability—I made inquiries afterwards, and found he never lived at Blackheath, but I did not inquire between his first and second call—the britska was to be paid for by ready money, before it went out of the shop—I made no other inquiry before I let him have the phaeton on hire, or sold him the britska, thinking to have the money for the britska I thought it was no use to inquire—Brown's papers have been taken from him by the policeman, and I believe the bill of parcels was amongst them—I sold the phaeton for 30*l.* or 35*l.*, I cannot swear which.

JOHN CLARK. I keep the Red Lion Inn at Maidenhead. On the 24th of September, the two prisoners came to my house in a new britska, they stopped at my house that night—they went away next morning, and came back about twelve o'clock—they asked me if I had any one I could send to fetch a phaeton, which was coming by the railway—I sent a person and went myself, to see that it was all right—the phaeton came—Brown

said to me (while Smith was by his side) that the phaeton was for sale, that it was a cheap bargain—I said, had it been the beginning of the Spring I would have bought it—he said he had had it new ringed and painted, and I should have it for 30*l*—I declined to buy it—I have since seen that phaeton, in presence of Mr. Clarke—they left my house in the phaeton, and went over the bridge towards Hounslow—they told me to be sure and take care of the britska.

Jury *to* Richard Clarke. *Q.* You say that Smith left your place before the britska was taken away? *A.* Yes—to fetch a stamp for Mr. Brown—he was aware the britska was not paid for—I was not in the counting-house when Smith returned.

Mr. Bodkin. *Q.* Did you see Smith after he came back? *A.* Yes—I saw no stamp.

Oscar Hard. I am a potatoe-salesman, in Upper-marsh, Lambeth. I know the prisoner Smith, by the name of Knight—he is a printer by trade—he was apprenticed to Beale, in Charlotte-terrace, and they opened a printing-office in Gibson-street—I had not seen Smith for a year or two—on the 26th of September last I drove to the Bell-inn, Hounslow—I was going to take refreshment—I saw Knight and Brown—I went into the parlour, and Knight followed me—I said, "Have you come from London?"—he said, "No, from Maidenhead"—I said, "Have you walked?"—he said, "I came in a phaeton"—I went into the yard, and saw a phaeton, and was examining it, when Knight came out and said, "That is my phaeton"—I said, "I know a gentleman who wants to buy one"—he said, "I will sell it to you for 30*l*.—I said, "Where can I see you in town,"—he said, "I don't live in town, but I shall sleep in town to-night; I will meet you any where to-morrow morning"—I had my horse put to, and was going off, when Knight came up with Brown, and said, "If you like you shall have it for 25*l*."—I said, "It wants a little doing to it"—Brown said, "It only wants a little harness-maker's work" Smith said he had a new one, and did not want two.

Cross-examined by Mr. Payne. *Q.* You were not born a potatoe-salesman? *A.* No—I have been so a great many years—I have been in the brokering line—I was in the police about twelve months—I left because I did not like it, seven or eight years ago—I resigned.

George Weller. I am in the employ of Mr. Gray, a livery-stable keeper. Brown came to our yard at the latter end of August and several times previous to the 3rd of September, and on that day he hired a horse and phaeton—he referred me to Mr. Hadwin, an attorney—I went to Salisbury-square, where Mr. Hadwin lives—I saw him—he said he had known Brown some years, he was a ship and insurance broker, and had resided at Liverpool, and was quite competent to pay any debts he might contract—in that I let him have the horse and phaeton—he drove away on the 3rd of September—I saw Smith and Brown riding together in the phaeton at Charing Cross on the 12th—Brown told me he lived at Blackheath—I went there and could find no such person—he was to have them three months, and was to pay twelve guineas at the end of the first month—I asked for money first, but he said he did not do business in that way, he paid at the end of a month, but I received nothing—I found the horse and phaeton at Chilcott's livery-stables in the Kent-road on the 27th—while I was there I saw Smith coming out, driving Mr. Gray's horse and Clarke's

phaeton—he gave me his name as Knight—I pursued him, and he was taken.

Cross-examined by MR. PAYNE. *Q.* Is this the first time you have been examined? *A.* Yes—Brown had the conversation with me.

Cross-examined by MR. JONES. *Q.* Did you go yourself to Blackheath? *A.* Yes, ten days after I let the phaeton.

ROBERT TELFORD. I am a hair-dresser, and live in London-road, Southwark. In August last Brown took two rooms on my second floor at 10*s.* a week—a wife and two children were with him—they all lodged there—they were there seven weeks at the time Brown was taken up—he was away for two or three days at the beginning of the week—they had no servant—I do not think any one came to visit them—Brown generally went out in the morning at nine or ten o'clock and returned in the evening—he appeared a regular man.

Cross-examined by MR. PAYNE. *Q.* Smith was not in the habit of coming there? *A.* No.

JOHN HEARD. I am a porter at the East India Chambers. Brown had been several times about an office, and on the 31st of August he concluded an agreement for it—he took two rooms, letter C—he was to pay thirty guineas a year—the desk and things in the room were mine, and he agreed to buy them for 5*l.*—he took possession on the 31st—I did not see him after that—he did not pay me the 5*l.*—there was no rent due—an old man named Twisdale was acting as clerk to him—he came there repeatedly—there were plenty of things came from tradesmen and the parties took them away again, because I represented what I thought he was—I do not know a man of the name of Hadwin.

JOHN REYNOLDS. I am shopman to Mr. Richards, a hatter in the Strand. On the 21st of September Brown drove up to the door in a double-bodied chaise—Smith was sitting inside—Brown came in, and said, "Is Mr. Richards in?"—I said "No"—he said, "I want a hat," and he tried on one—he then said, "My servant wants a hat"—Smith came in and tried one on, and got one to fit him—Brown then said he wanted one with a gold band, not so good a one as that—I said we had very good ones at 13*s.* 6*d.*—at last he got one that fitted him—Brown said to Smith, "Is that one that fits you?"—he said "Yes"—I showed Brown the pattern-book for the band, and he chose one at 12*s.* 6*d.*—he said, "I will take these two, and you can send that before five o'clock"—he had thrown down his card before that, as residing at the East India Chambers—he said, I must send it before five o'clock, as he left town at five, for his house at Blackheath—Brown took his hat away on his head—I put Smith's in a box, thinking he was the servant—I had some doubt, while I was putting it into the box, whether I should let them go, but Brown took up a leather-case and asked me the price of it—I said 10*s.*—I thought I would let them have the two hats at a venture—I sent the other hat and the gold band at five o'clock, and they were not there.

Cross-examined by MR. JONES. *Q.* I suppose the hat Brown tried on was such as you expected a gentleman like him to wear? *A.* Yes—Smith was not in livery—Brown said, "My servant wants a hat," and he beckoned Smith in—the hat that Smith had was not so good as Mr. Brown's, but it was better than the one that was to have the gold band—he did not call Smith his servant in his presence.

JOHN GALLIERS. I am foreman to Messrs. Bailey's, ironmongers in

Holborn. On the 10th of September the two prisoners came there in a carriage—Smith remained in the carriage—Brown came in and selected some knives and forks, two candle-lamps, and a study lamp—the goods came to 6*l.* 12*s.*—he asked if I could send them down to his chambers, and gave me his card, "13, East India Chambers"—I said I could not, as we had no one in the way—he said he wanted them very particularly, as he had a dinner party that day at Hampstead, and if I would get them ready his servant should call for them in the course of an hour—he then left—I was to get the knives and forks ready, and the other things were to be got ready in a day or two—in about an hour Smith came again in the same carriage—I delivered the knives and forks to him, and I asked him where his master, or where Mr. Brown, resided at Hampstead—he said he did not recollect exactly the address, but it was near the Beau de Ville—I then asked how long his master had resided there—he said, ever since he had been with him.

Cross-examined by Mr. Payne. *Q.* Where did this conversation take place? *A.* In my employer's shop—I made some inquiry, and could not hear that there was such place as the Beau de Ville—I have not been there to inquire.

George Davis. I am a sadler, and live in the Borough. I saw both the prisoners at my shop in September—Brown came in, while Smith sat in the phaeton—Brown asked me the price of chaise and carriage harness, but more particularly of carriage harness—I agreed to make him a set of carriage harness to order for 21*l.*—the chaise harness was not determined about—he said he resided at Blackheath, and had Chambers at the East India Chambers—the harness was to be made and sent by that day fortnight—he said the horse he had at Blackheath was of the same size as the one at the door, and one collar would fit either—after we had agreed about the harness he said he wanted a saddle and bridle immediately, to ride the next day, being Sunday—we looked one out—he said his servant, meaning Smith, would call for it in half an hour—I think he was to pay five guineas for that—Smith called, and took away the saddle and bridle—I have never been paid for either.

—— Blackwell. I live in Oxford-street, and am a sadler. Brown came to me in a phaeton, and agreed to purchase a carriage harness, for which he was to pay twenty-five guineas—it was to be made for him, and paid for before delivery—he gave me a card with "East India Chambers" on it, and said he lived at Blackheath—a saddle and bridle were to be sent by the carrier to Blackheath, as he said he wanted to ride on the Sunday—Smith was sitting in the phaeton as a servant—Brown went to the carriage again, and said he was going to dine at Connaught-square, and his servant should call for the saddle and bridle as he returned—I said it should be ready, and asked for a reference—he looked at my book, which was on the table, and said he knew several of my customers, and said they were friends of his—Smith came about half an hour after, and took away the saddle and bridle—I asked him where his master resided at Blackheath—he said, "Very near the Hare and Billet public-house"—I said, I never was there but once, and did he know Admiral Oliver's—he said, "Yes," it was a very little way from there—he took away the saddle and bridle, and I heard no more of them till they were at Union-hall.

———— Wall. I am a sadler, and live in Piccadilly. Brown came

to me about the 20th of September, he said he wanted to look at some phaeton harness—he ordered some to be finished by the following Monday, and then he spoke about some saddlery and horse clothing—he chose a saddle and ordered it to be finished—he gave me one of his cards at the East India Chambers, and said, his coachman should come and have the horses measured—as he was going away he turned and said, "Could you oblige me with the saddle in half-an-hour?"—I said, "Yes," and Smith came and had the saddle—I said to him, "I don't know who I am indebted to for your master's custom"—he said he did not know, and said, Did he order a harness of me? I said, "Yes," where did he live, he said his country house was at Richmond.

Cross-examined by MR. PAYNE. *Q.* Are you certain that Smith was the person who came as the servant? *A.* Yes, he was at the door holding the horse.

WILLIAM THOMAS (*police-sergeant P* 17.) I took Smith into custody in Lambeth-road—he was driving a horse and phaeton—I afterwards apprehended Brown coming out of a house, No. 166, London-road—I found upon him different bills of parcels, and on Smith a pocket-book, and two bills of exchange, drawn by Twisdale.

BROWN—GUILTY. } Confined Two Years.
SMITH—GUILTY. }

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268. WILLIAM CLARK was indicted for stealing, on the 12th of November, 1 pair of breeches, value 8*s.*, the goods of William Moores.

WILLIAM MOORES. I am ostler at the Bald-faced Stag public-house, at Putney. On the 12th of November I lost a pair of cotton-cord breeches out of the settle in the tap-room, where I had left them when I went to bed—these are them.

JAMES HERRICK. I am landlord of this house. The prisoner went out last on the night in question—he had something under his smock-frock—there was a traveller sitting with him, who slept at my house—the prisoner left at a quarter to eleven o'clock—no one left after ten o'clock but him.

ABRAHAM HOWELL. I am bailiff to Colonel Wemys, of Kingston. On the 13th of November I went to an out-house belonging to my master, and found this pair of breeches—the prisoner slept there that night.

GUILTY. Aged 39.—Confined Three Months.

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269. CHARLOTTE SHEARER was indicted for feloniously receiving, on the 25th of October, 3 yards of sackcloth, value 2*s.*, the goods of John Murray; well knowing the same to have been stolen; against the Statute, &c.

ALEXANDER PATTERSON. I live with my uncle, John Murray, of Church-street, Minories, a hemp and sackcloth-manufacturer. This sackcloth is his—we have not sold it—I cannot say whether we have lost it—we employ from thirty to forty hands—it might have been removed from the premises.

Cross-examined by MR. PHILLIPS. *Q.* Did I understand you that it had not been sold? *A.* This piece had not—here is three yards and a foot of sacking—our sacks are made chiefly by women—they are given out to be made—I suppose this is a piece given out to make—I believe the prisoner is married.

NOT GUILTY.

Before Mr. Sergeant Arabin.

270. MARY ANN TOMLINSON was indicted for stealing, on the 17th of November, 1 half-crown, the monies of John Mantin, her master.

CHARLOTTE MANTIN. I am the wife of John Mantin, a pork-butcher, in Great Suffolk-street, Borough. The prisoner was my servant for fourteen days—on the 7th of November I missed a half-crown from a drawer in my bed-room—there was one more half-crown, a sovereign, and some shillings there—on the Saturday after, I went to the prisoner's mother, and stated the case—her mother came home with me, and asked her if she had a pocket—she said yes—her mother took up her clothes, and said she had some money in it—there were two shillings found in it—the prisoner then said she found it in the bed-room—I said, "You must have taken the half-crown from the drawer"—she said she had not—her mother went, and fetched the policeman, and at last she said she took it from the drawer.

JEMIMA TOMLINSON. I am the mother of the prisoner. My husband is a wheelwright—what has been stated is true.

GUILTY. Aged 13.—Transported for Seven Years.

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271. ELIZABETH M'CALLISTER was indicted for stealing, on the 19th of November, 1 gown, value 4*s.*; and 1 petticoat, value 2*s.*; the goods of Sarah Ann Barr.

SARAH ANN BARR. I live in service at Battersea. On the 19th of November I hung these things up to dry, between eleven and twelve o'clock, in the yard—it is fenced round, but the gate was open—I missed them.

THOMAS EMMERSON. I am a policeman. I was on duty in the Wandsworth-road on the 19th of November, about six o'clock—I met the prisoner carrying this basket—I asked what was in it—she said, "Some books and some lucifers"—I opened it, and found some books and lucifers, also this gown and petticoat—I took her to the station-house—she said she bought them of a boy on Wimbledon-common.

Prisoner's Defence. I bought them.

GUILTY. Aged 15.—Confined Three Months.

Before Mr. Common Sergeant.

272. JOHN COLEMAN was indicted for stealing, on the 23rd of October, 1 firkin, value 6*d.*; and 4 gallons of size, value 1*s.* 3*d.*; the goods of Benjamin Young.

MR. PHILLIPS *conducted the Prosecution.*

GEORGE CARTER. I am in the employ of Benjamin Young, of Spa-road, Bermondsey, a glue and size manufacturer. He employs about one hundred hands—the prisoner was one of his carmen—it was his duty every morning to get his cart loaded by one of the foremen—on the morning of the 23rd of October I loaded it—I put in six firkins of double-brown size, and twenty-four firkins of single-brown size—Clements, another carman, was to have a load of white size that morning.

Cross-examined by MR. BALLANTINE. Q. How do you know that? *A.* I saw it in the order-book, and either Mr. Young or the clerk told me to send it—it is my duty and Mr. Smith's also to see to the loading of the carts—I am quite certain that there were only six firkins of double-brown size put in the prisoner's cart, and he had seven in it—one was white size, which he had brought back the night before.

WILLIAM SMITH. I am a foreman to Mr. Young. On the morning of the 23rd of October, I was standing at the counting-house door—the prisoner's cart was drawn up—I saw Godfrey, a labourer, loading Clement's cart—I saw him go with a tub of white size on his shoulder, and when he got to Clement's cart the prisoner stopped him and said something to him—Godfrey put the tub on the prisoner's cart, and the prisoner drove away.

Cross-examined. Q. How far were you off? A. Twenty yards—before I was at Mr. Young's I was at a copperplate-printer's in Little Moorfields—before that I was in the police—I left it on my own account—I stopped away for some time—they sent for me back again, and then it was read out that I was discharged for neglect of duty—I went up and resigned on my own account—my neglect of duty was because I did not give notice to leave.

DENNIS GODFREY. I was in the employ of Mr. Young. On the 23rd of October I loaded Clement's cart—I had to pass the prisoner's cart to go to Clement's—I had a firkin of white size on my shoulder—the prisoner told me to put it on his cart, and I did so.

Cross-examined. Q. How long were you in prison about this? A. Only a few days—I told of this the day it happened, before I was taken up—I was not a party to taking it—I was perfectly innocent—it is my duty to load any man's cart when I am ordered by the foreman—I was in the police—I was not discharged—I resigned.

WILLIAM WILKINS (*police-sergeant R* 11.) I took the prisoner—I was before the Magistrate—I saw the Magistrate sign this examination—(*looking at it*) *read*, "The prisoner says, I never saw the firkin of size—I know nothing of it."

NOT GUILTY.

Before Mr. Sergeant Arabin.

273. CATHERINE M'MAHON was indicted for stealing, on the 9th of November, 15 yards of printed cotton, value 10*s.*, the goods of John Dennis and another; and that she had been before convicted of felony.

JAMES STRUTT. I am assistant in the shop of John Dennis and another, in Tooley-street. On the 9th of November the prisoner came and asked for something, I could not tell what—I asked her again—she muttered something, and was going out—I went to her and pulled up her cloak, and saw this piece of print, which she had taken from the counter.

JAMES HIGHWOOD. I am a policeman. I received the prisoner into custody.

Prisoner's Defence. I was going into the shop for a skein of silk—my foot kicked against this print—I took it up and was going to the light—this gentleman came and said I had taken it off a pile.

JAMES STRUTT. It was close under her arm when she was going out.

GEORGE SAWYER. I am a policeman. I produce a certificate of the prisoner's conviction, which I got from the Clerk of the Peace office for Surrey—(*read*)—the prisoner is the person.

GUILTY. Aged 24.—Transported for Seven Years.

Before Mr. Recorder.

274. WILLIAM BENTON was indicted for stealing, on the 25th of November, 4 skins of leather, value 12*s.*, the goods of Thomas Learmouth and another; to which he pleaded

GUILTY. Aged 23.—Confined Six Months.

275. EMMA ELLARD was indicted for stealing, on the 25th of November, 1 workbox, value 1*l.*; 2 necklaces, value 15*s.*; 1 pair of ear-rings, value 15*s.*; 1 brooch, value 10*s.*; 1 bonnet, value 5*s.*; 13 sovereigns, 2 half-sovereigns, 19 shillings, and 1 sixpence; the property of James Wall, her master, in his dwelling-house; to which she pleaded

GUILTY.—Transported for Ten Years.

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W. Tyler, Printer, 5, Bolt-court, London.

CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. SECOND SESSION.

A star (*) denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk (†) that a prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, December 16th*, 1839.

First Jury, before Mr. Recorder.

276. WILLIAM EDWARDS was indicted for embezzlement and larceny.

MR. BODKIN, *on the part of the Prosecution, declined offering any evidence.*

NOT GUILTY.

277. JAMES GRIFFITHS was indicted for stealing, on the 10th of December, 14lbs. weight of lead, value 2*s.* 3*d.*, the property of Francis Bramah and others, his masters; to which he pleaded

GUILTY. Aged 15.—Confined Three Months.

(The prisoner received a good character.)

278. GEORGE DOUGLAS was indicted for stealing, on the 4th of December, 1 pastile lamp, value 14*s.*, the goods of James Wheaton; to which he pleaded

GUILTY. Aged 14.—Confined Three Months.

279. ELIZABETH LABURN was indicted for stealing, on the 27th of November, 1 handkerchief, value 2*s.*, the goods of James Stewart Robertson, her master.

MR. CLARKSON *conducted the Prosecution.*

MAGDALENE ERSKINE ROBERTSON. I am the wife of James Stewart Robertson, who keeps an hotel, in Little Brook-street, Hanover-square. The prisoner was our house-maid—she left on the 2nd of December—in November, in consequence of something that passed in reference to an old lady named Williams, from Bath, who lodged at our house, a servant of ours, named Hudson, was taken into custody, and made some statement, in consequence of which the prisoner was taken on the 9th of December, and the officer Fraser produced a cambric pocket-handkerchief to me—(*looking at one*) —this is it—it was missed about the 27th of November—I had not given it to the prisoner, nor was I aware she had it—it must have been taken from my room—she had to clean the rooms—she left at a week's notice, which is not usual—she gave us notice on account of our leaving the hotel —she did not wish to live with our successors.

JAMES MURRAY FRASER. I am a policeman. I took the prisoner on the 9th of December, at Dolly's chop-house—she was going into service

there that night—she had three boxes, which I searched, and in one which was locked I found this handkerchief, in a reticule—I observed a mark on it, and asked if she knew it—she said, yes, it belonged to Mrs. Robertson—I asked how it came into her box—she said she did not know.

Prisoner's Defence. I did not know I had it till the Sunday after I left my place, when I was putting my things to rights to go to my new place —I found it among my clothes—it must have got among my dirty clothes, as I had them and the children's things to wash.

MRS. ROBERTSON *re-examined.* She had to wash her own things and the children's, but not mine—she lived with me eight months—I had a good character with her. NOT GUILTY.

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280. WILLIAM JACKSON was indicted for stealing, on the 2nd of December, 1 coat, value 10*s.*, the goods of James William Nickelson.

JAMES LAPWORTH. I am a carman, and live in Camomile-street, Bishopsgate. On Monday afternoon, the 2nd of December, a little after five o'clock, I was crossing Bishopsgate-street, and saw a horse and gig at Mr. Varty's door—I saw the prisoner take a Macintosh coat off the gig, walk along Bishopsgate, and give it to another man—I told a policeman, who followed and took them—I saw the prisoner in custody directly after —I am sure he is the one that took the coat.

Cross-examined by MR. PAYNE. *Q.* How near were you to the gig when the coat was taken? *A.* About twenty yards—it was rather duskish —I saw no one in the chaise—I had never seen the prisoner before.

STEPHEN QUESTED (*City police-constable, No.* 373.) In consequence of information from Lapworth, I went in pursuit of the prisoner and another—I overtook them at the bottom of Clark's-place, Camomile-street, about 150 yards from the gig, and took them—the prisoner was pointed out as the man that took the coat—I made sure of him, and the other got from me—I got the coat from him—the prisoner and he were in company.

Cross-examined. *Q.* Was the prisoner at all intoxicated? *A.* Not the least—he walked and spoke like a sober man—they went round one corner —they might have got seven or eight yards up Clark's-place—I went up Camomile-street, and met them at the other entrance.

JAMES WILLIAM NICKELSON. I am a traveller. On Monday afternoon, the 2nd of December, I went to Mr. Varty, a linen-draper, in Bishopsgate, and left my horse and gig standing at the door, with my Macintosh in it— I saw it at the station-house about ten minutes after—this is it—(*looking at it.*)

Cross-examined. *Q.* Did you leave your gig in care of any body? *A.* Yes, of my brother—he is not here.

GUILTY.* Aged 20.—Transported for Seven Years.

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281. SUSAN DAVIS was indicted for stealing, on the 9th of December 3lbs. weight of candles, value 6*s.*, the goods of Samuel Childs, her master.

WILLIAM OSBORN. I am an oilman, and live in Bear-street, Leicester-square. The prisoner came to me on Monday night, the 9th of December and asked if I bought wax pieces—I said I did—she said they were not exactly wax pieces, they were small wax candles, which a woman named Evans, in Earl's-court, had as a present made to her from a brother, who was a wax-chandler, for the children—she showed them to me—I said

could not buy them, unless she would convince me that they were come properly by, and would she allow my shopman to go and see?—she went out with my shopman—they soon after returned, and in consequence of what my shopman told me I gave her in charge—she had said, "If you do not like to buy them, give them to me again," but I detained them.

JOHN WESTACOTT. I am son-in-law and assistant to Samuel Childs, a WAX-chandler, in Green-street, Leicester-square. The prisoner was employed there as char-woman occasionally—she was there on the 9th of December, and left about six o'clock in the evening—I believe these candles to be Mr. Child's—he makes such, and keeps a quantity in the counting-house cupboard—the prisoner had to scour the counting-house, but had no business at the cupboard—I found some candles at her lodgings, wrapped in paper which corresponds with the paper round the candles in the cupboard.

WILLIAM ROGERS. I am a policeman. I received charge of the prisoner on the 9th of December—next morning, in taking her to the office, we met Mr. Westacott; as soon as he came in sight she said, "It is *all up* with me now, I see the owner of the candles is coming"—she said she had taken them out of a cupboard while she was charing there on Monday.

Prisoner's Defence. I did not tell him I had been there on the Monday—I said I was in the habit of going there on Mondays—I said, "I suppose you have found an owner for the candles"—he said, "No," and I said, "Yes, there is."

GUILTY. Aged 48.—Confined Six Months.

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282. ADAMSON JEFFRIES was indicted for stealing, on the 8th of December, 1 half-crown, 1 shilling, 1 sixpence, 1 penny, 1 half-penny, and 1 farthing, the monies of James Dempsey.

JAMES DEMPSEY. I live in Bow-yard, St. Giles's. On Sunday morning, the 8th of December, I went to bed in the house of a person named Hoy—the prisoner was in the same bed—I fastened the door inside—early in the morning, when I awoke, I observed he was gone, and the door open—I missed from my jacket pocket the money stated—it was safe when I went into the room the night before.

BRIDGET HOY. I am the wife of Daniel Hoy, and live in Bow-yard. The prisoner took a room of me, and was to have a bed to himself—Dempsey had lodged with me before, and I let him have half of the prisoner's bed on this night—the prisoner left in the night without notice—he was to have stopped all the winter, but he only stopped four days—I afterwards met him in Broad-street, and asked him for the 4*s.* which he had taken from Dempsey—he was very civil at first, but got impudent afterwards, knocked me down in the mud, and ran away—I followed, got a policeman, and gave him in charge—he must have left between two and three o'clock in the morning, for Dempsey missed his money between five and six o'clock, and he was gone then.

JOHN PARK. I am a policeman. I stopped the prisoner in Charlotte-street on Wednesday morning about a quarter to ten o'clock.

Prisoner's Defence. I know nothing about it—it was six o'clock when I got up.

GUILTY. Aged 18.—Confined Three Months.

283. WILLIAM TILTON was indicted for stealing, on the 27th of November, 6 oz. weight of tea, value 2*s*., the goods of George Warner and others, his masters.

RICHARD RICHARDS. I am one of the firm of George Warner and others, in Rood-lane. The prisoner was our porter at two periods; for the first rather more than twelve months, for the latter about two years—about three o'clock in the afternoon of the 27th of November, my attention was drawn to a small packet of tea in the upper part of the warehouse—it was about half a pound, neatly done up, first in tea paper, and blue paper outside—I set somebody to watch it, and I watched the prisoner the rest of the day—I received information from a fellow-servant of his, who is not here, and when he returned to work, at seven o'clock, I gave him into custody—a small quantity of black tea was found on him in an old brown paper bag—there were several casks of tea open in the warehouse—I compared that found on him with that in the casks, and, in my opinion, it was the same tea—next morning I still found the blue parcel undisturbed where it was before—I opened it—it contained entirely different tea to that found on the prisoner, but it was similar to tea we have.

Cross-examined by MR. CHAMBERS. *Q.* Where was the chest which contained the tea like that found on him? *A.* Open in the warehouse—any body could put their hand in, and take some out—Thomas Withers is the person who gave me the information—he is also our porter, and has been so longer than the prisoner—I do not know of him and the prisoner having had any dispute—he left us on the first occasion of his own accord, I believe it was because he and the servants did not agree—he afterwards returned.

WILLIAM CLARK GREEN. I am warehouseman to the prosecutors. On the evening of the 27th of November, between seven and eight o'clock, I went, by Mr. Richards's directions, to a room in the upper floor of the tea-warehouse, where the parcel was deposited, and concealed myself behind some chests and a door—the prisoner came up alone while I was there—he passed by where I was, into a room beyond—he then came back, and stood a short time where the parcel was, and then left the premises without taking it away—I do not think his business could call him up there—he occasionally came up to shut up the loop-holes, but that evening they had been shut before he came up—there were empty casks and loose papers kept there.

Cross-examined. *Q.* Where were the loop-holes? *A.* In the floor where I was concealed—all the men put their coats into a cellar under the warehouse, and there they remain while they are at work—any body can get at them—I think there are eight men at work—the prisoner generally had his dinner on the premises.

COURT. *Q.* Did any body else come while you were concealed there? *A.* Two others—one to fetch a bag of paper, and the other for a candle—they did not know I was there—they did not come near the parcel—they went down immediately—I did not see the prisoner go to the loop-holes at all—I could not ascertain what he came for.

THOMAS WOODRUFF. I am a City-policeman. In consequence of information I waited at the prosecutor's warehouse-gate, and when the prisoner came out he was given into my custody—I took him to the station-house,

searched him, and found this packet of tea in his left-hand coat-pocket—he was very much affected about it, and cried very much.

RICHARD RICHARDS *re-examined.* I have not brought any tea from the bulk—the coats were hung in the cellar, which is accessible to all the porters—the men take their refreshments there during the day.

NOT GUILTY.

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284. THOMAS COFFEE was indicted for stealing, on the 16th of November, 1 coat, value 2*l.*, the goods of Richard Collings.

RICHARD COLLINGS. I am a tailor, and live in Little Ormond-street, Queen-square. On the evening of the 16th of November the prisoner and another came to my shop—the other had a bag—the prisoner wanted to know the price of a black waistcoat, as his mother was dead, and he pointed to some crape on his hat—he wanted it by Monday, and asked what I should charge if he found the stuff—I told him, and he said he would call again on Monday morning—they then went away, and the prisoner carried the bag—the moment they were gone I missed my great coat, which had been lying on a sofa all day—I went out directly and gave information to the police—I saw the coat three weeks after in Pocock's possession—this is it—(*looking at it*)—the prisoner never came again.

Cross-examined by MR. PAYNE. *Q.* Was it the man who was with the prisoner that ordered the waistcoat? *A.* Yes, but the prisoner was more talkative than the other—I had never seen them before—my little girl opened the door to them—she could not swear to the prisoner before the Justice—she did not say he was not the person—the coat is my own make.

THOMAS POCOCK (*police-sergeant F* 13.) On Thursday evening, the 5th of December, I saw the prisoner, in company with another person—he had this coat on—I took him to the station-house, and told him the charge—he said it was his own coat, he had bought it for 1*l.*, of a Jew, in Monmouth-street, who he met in the street, with a bag on his back—he could not tell who he was—I also found a coral necklace on him.

Cross-examined. *Q.* Was there a little girl before the Justice? *A.* There was, about the necklace—she could not identify the prisoner, it being dusk.

GUILTY.* Aged 19.—Transported for Seven Years.

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285. HANNAH GILBY was indicted for stealing, on the 24th of November, 1 pair of shoes, value 2*s.* 6*d.*; 3 aprons, value 1*s.* 6*d.*; 2 pieces of calico, value 3*d.*; 1 comb, value 1*d.*; and 2 collars, value 2*d.*; the goods of Stephen Joseph Wicks, her master.

STEPHEN JOSEPH WICKS. I am a shoemaker, and live in Skinner-street, Somers-town; the prisoner was my servant for about four months, she was about to quit my place. On the 24th of November I sent for a policeman, who opened her box, which was corded, and found these articles in it, which are my property—I had received six months' character with her—I had missed nothing before.

ROBERT ECCLES (*police-constable S* 73.) I was called to the prosecutor's house and opened the prisoner's box—I took out these articles, which the prosecutor identified—he asked the prisoner where she got the shoes from, and she said out of the shop, on the Saturday evening previous.

(Thomas Williams, a journeyman brush-maker, the prisoner's brother-in law, gave her a good character.)

GUILTY. Aged 17.—*Recommended to mercy by the Jury and Prosecutor.*—Judgment Respited.

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286. JAMES RAINE was indicted for stealing, on the 9th of December, 1 till, value 6*d.*; 20 pence, 50 halfpence, and 20 farthings; the property of William Millard.

REBECCA MILLARD. I am the wife of William Millard, a green-grocer in Paul-street, Shoreditch. On Monday, the 9th of December, I was in my back kitchen, and heard an alarm of "Stop thief"—I ran to the street door, and picked up the till at the side of the door, on the pavement—it was upset and empty—I had seen it safe in the counter about a quarter of an hour before, and it then contained about 4*s.* in copper—the prisoner was shortly after brought in—he said he was innocent but he had better give me 5*s.* than be put in confinement.

JAMES MILLARD. I live with the prosecutor, who is my brother. On the 9th of December I was in the parlour—I heard a noise, and saw the prisoner between the counter and the door, with the till in his hands—heard the money jingle—another boy stood at the door, and when the prisoner got out they both ran away in the same direction—I saw the till lying just on the pavement—I did not stop to pick it up but ran and caught hold of the prisoner, and charged him with stealing the till—he denied it, and struck me, and being without assistance, he made his escape.

HENRY JOSEPH SNELLING (*police-constable G* 203.) I went to the prosecutor's shop, and found the prisoner there—he was charged with stealing the till—he denied it, and said he was passing accidentally at the time—he gave his address, "No. 28, Hoxton-square," but he does not live there—it is a gentleman's house—I found nothing but a penny and a tobacco box on him.

GUILTY. Aged 16.—Transported for Seven Years.

OLD COURT.—*Tuesday, December 17th*, 1839.

Second Jury, before Mr. Recorder.

287. WILLIAM DOWNING was indicted for embezzlement.

MR. PHILLIPS *declined offering any evidence.*

NOT GUILTY.

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288. JOHN ROLFE was indicted for stealing, on the 2nd of December, 29lbs. weight of lead pipe, value 4*s.*; the goods of John Newsom, his master.

JOHN NEWSOM. I am a builder, and live in Upper Ebury-street, Pimlico. The prisoner was in my employ, as plumber, for five weeks—he was engaged to work at some new houses in Grovesnor-row, and I supplied him with a quantity of lead pipe for the order—he was to leave what was not used on the premises—there were two closets on the premises to put the materials in, of which he had the keys.

Cross-examined by MR. PAYNE. *Q.* Was none to be brought home? *A.* There was a boy employed on purpose to pick up any pieces which

laid about, and bring it to the warehouse — if any was damaged, it might be brought home—the prisoner has a wife and large family.

COURT. *Q.* Was this pipe damaged, so as to require being brought home? *A.* No, it was new pipe.

GEORGE THATCHER. I am a policeman. On the 2nd of December I was going up Westbrook-street, Pimlico, a little after twelve o'clock in the day-time, and saw the prisoner crossing from Lower Graham-street in a direction from the building where he was employed, with a bag on his back—he seemed to try to avoid me—I allowed him to go some distance, and then followed him—when he got to the corner of Cole-hill-street, he looked round, apparently looking after me—I followed, took him into custody, and found this lead on his person—I then went to the premises where he was at work, and compared it with a piece I found there, which I have no doubt this came from, from the peculiar cut, which corresponded in both—it was a sort of vein in the lead—when I took him he wanted to go to his master's shop, but he was going quite away from it.

Cross-examined. *Q.* Had you ever spoken to him before? *A.* Yes—about a week before I asked him if he knew a person named Hurst—there were several public-houses between the shop and the building—when I stopped him I asked what he had in the bag, and he seemed very much confused—I said, "You have got some lead"—I did not ask where he was going—his master's private house was about ten doors from where I took him—he was carrying the bag openly on his shoulder.

NOT GUILTY.

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289. HENRY STANDRIDGE was indicted for stealing, on the 6th of December, 1 pair of stays, value 4*s.* 6*d.*, the goods of Henry Edward Cox.

HENRY EDWARD COX. I am a stay-maker, and live in St. Martin's-court. On Friday night, the 6th of December, about seven o'clock, I was sitting in my parlour, and noticed some stays moving which were tied to a nail just within the shop-door—I went to the door, and missed a pair—I saw the prisoner a few yards from the shop, and went after him—he had the stays in front of him, which he threw down, and ran some distance—I pursued, caught him, and brought him back—he said, if I would let him go he would never do it any more—the stays were brought to me by a man who picked them up—these are them (*looking at them.*)

WILLIAM CLARK. I am a policeman. The prisoner was given into my custody with these stays—in going to the station-house he said the prosecutor did not find the stays on him, he had thrown them down—I asked what he could have done with the stays—he said he could have sold them if he had got off.

GUILTY.* Aged 16.—Transported for Seven Years—Convict Ship.

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290. ROBERT BRELSFORD was indicted for stealing, on the 10th of December, 1 shawl, value 7*s.* 6*d.*, the goods of Edward Ellis Everett and others.

ROBERT MOBBS. I am shopman to Edward Ellis Everett & Co., linen-drapers in Tottenham Court-road. This shawl is their property, and has their mark on it—it has never been sold.

ROBERT JENKINS. I am a police-inspector. On the evening of the

10th of December I saw the prisoner standing on the pavement near Messrs. Everett's shop, and another person standing by the window—I suspected and watched them—presently I saw the other one come towards the prisoner, and the prisoner went to the shop, stooped down, drew something away, and crossed the road—I followed and stopped him, and under his apron found this shawl—I asked where he got it from—he said it had been thrown to him.

Prisoner. I picked up the shawl—it laid five or six yards from the shop. *Witness.* No, it did not—I had passed the shop a short time before, and seen the shawls hanging up inside the shop.

(The prisoner received a good character.)

GUILTY. Aged 20.—Confined Six Months.

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291. MARGARET CRONIN and MARY STRATFORD were indicted for stealing, on the 30th of November, 21 yards of calico, value 6*s*., the goods of William James Stevenson.

THOMAS WILLIAM BROWN. I live with William James Stevenson, a linen-draper, in Ratcliff-highway. On Saturday afternoon, the 30th of November, I was called to serve the prisoners at the drapery counter—there was a great quantity of calico on the counter—they wanted to look at some satin ribbon—I said, "May I trouble you to come on the opposite side?" and from the way in which they moved from one counter to the other I suspected they had stolen something—Cronin had a cloak on—I shewed them several pieces of ribbon, but they said they were too dear—I asked what price they wanted—they said, "About 5½*d*. a-yard"—Stratford was the one that spoke—they made a move at the time, and I said to Cronin, "Excuse me, Ma'am, will you allow me to look under your cloak, as I suspect you have stolen something?" and under her arm, concealed under her cloak, I found this piece of calico, which had been on the drapery counter where the prisoners stood in the first instance—I had seen it there just before they came in—they were standing quite close together—Stratford was nearest to it, but she could not have taken it without the other seeing her—they must have taken it before I came from the other part of the shop to serve them—I sent for an officer, and gave them in charge—they said nothing when I found it.

PIERCE DRISCOLL. I am a policeman. I was called to the prosecutor's shop, and received the prisoners in custody with the calico—they were searched at the station-house—nine duplicates were found on Cronin, and a pair of scissors on Stratford, but no money on either—in going along Stratford said to Cronin, "Don't allow the police to handle you," and in taking her to the police-office next morning she asked if she was going to be sent to the Old Bailey—I said I did not know.

Cronin's Defence. I asked Stratford to go in with me and look at some ribbon—the calico laid on my cloak—she took it up and said, "I wonder how much this is a yard?"—the young man crossed and said, "I think you have some calico"—I said nothing, and he sent for a policeman.

Stratford's Defence. Cronin asked me to come in and see about some things—the calico was lying on the counter—I said, "I wonder what this is a yard?"—I gave it to her to look at, and the young man crossed the counter and said, "Excuse me, I think you have got some of my calico."

CRONIN—GUILTY. Aged 17.
STRATFORD—GUILTY. Aged 18. } Confined Six Months.

292. MARY STRATFORD was *again* indicted for stealing, on the 29th of November, 1 petticoat, value 5*s*., the goods of James Cushon.

MARY CUSHON. I am the wife of James Cushon, but have been separated from him two years, and been in service in Prescott-street. I left my place, and went to lodge at the prisoner's grandmother's, No. 3, Besom's-buildings, Bishopsgate-street—on the 29th of November I hung up a flannel petticoat in the kitchen to dry—the prisoner was going out with Margaret Cronin, and I saw her snatch my petticoat off the line, and run out with it—I did not think at the moment that she intended to steal it, but she did not return that night—I saw her next day in custody—the petticoat has not been found—I had only lodged in the house from Monday till Friday.

PIERCE DRISCOL. I am a policeman. I took the prisoner into custody on the last case.

Prisoner's Defence. I was going out with Cronin—I saw the petticoat at the door, but did not take it. NOT GUILTY.

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293. JOHN JACKSON was indicted for stealing, on the 10th of December, 7 sovereigns, and 1 half-crown, the monies of Alexander Wilson, from his person.

ALEXANDER WILSON. I was a seaman on board the *Wandsworth*. On Tuesday, the 10th of December, I received nine sovereigns and some silver as my wages, and went to lodge at Mrs. Skeet's, in Bluegate-fields—I gave her a sovereign in the course of the day, and changed another—I do not recollect whether it was in a public-house—after supper I came out with the remainder of the money about me—I went to the Goose public-house, and met the prisoner there in company with another man—they were my shipmates—I went with the prisoner to Fraser's beer-shop where he lodged, and got drunk, so as not to know what happened—I was aroused up about half-past eleven o'clock, as I understand since, and found myself at Fraser's—my money was all gone then—I was too drunk to know how it went.

Cross-examined by MR. PRENDERGAST. *Q.* You got into the company of several persons? *A.* There were plenty in the room—the prisoner was boatswain of our vessel—I had only been one voyage with him from Quebec—we were on pretty good terms—I cannot answer for my conduct when drunk—it is not my fashion to take any thing from a man, and give it him again a day or two afterwards—the prisoner was drinking with me—I do not recollect changing another sovereign at a public-house—I might have done so—I fell asleep a short time after I got into the public-house—I cannot say how many public-houses I went into—I was at Frazer's, and the Swan public-house, or *Paddy's Goose*, as it is called—I do not remember any more—I came direct to the *Goose* from Skeet's boarding house with the money in my pocket—I cannot tell who was in my company—they were strangers to me—most of them are here—Kellers was one—I did not know him before.

CHARLES FRASER. I keep a beer-shop at 145, Shadwell. The prisoner came to my house on the 10th of December—he borrowed a sovereign of me to buy a pair of shoes, because he was not going to be paid that day—I lent him a sovereign and a few shillings—he came at eight or nine o'clock in the evening with four of his shipmates—one was a little the worse for liquor, they say, but I did not perceive it—I did not notice the

prosecutor—I did not see him at my place—I swear I did not see him, not to notice his face—I have never said so—I did not see the prisoner do any thing to any man—I did not see him search any body's pocket—he paid half-a-crown for two pots of beer and a broken window—(*looking at his deposition*)—this is my hand-writing—I do not know whether it was read over to me before I signed it, I think very likely it was.

Q. Now, I ask you whether you did not see Wilson in your beer-shop? *A.* I saw him—I did not see his face—if it was him he was lying down with his head on the table—I mean the man represented to be Wilson—I did not see his face—I did not see the prisoner do any thing to a man whose head was resting on the table—I have never said so, to my knowledge—I did not see any body put his hand into his pocket.

Cross-examined. *Q.* Were they in a back-room? *A.* No, a front room—there were about six there, all shipmates—they all appeared good friends—I thought they were all together—they had come there together in a cart from the ship in the West India Docks.

COURT. *Q.* What, the man whose head was lying on the table too? *A.* Yes—I saw the prisoner in custody next day.

JOSEPH JACKSON. I lodge at Mrs. Skeet's, in Bluegate-fields. I went to Fraser's beer-shop between eight and nine o'clock, and saw Wilson there—I sat close alongside of him—another man went in along with me—there were others there—Wilson was sitting with his head on the table—the prisoner came in, and tried to arouse him—I said, "Let the man be a little bit, you can't get him up; we shall be going home by-and-by; he lives in the same house I do, and by the time the house closes we shall be able to get him home"—the prisoner went away then—he came back again a good bit afterwards, when the house was about to be closed, and he said there were two shipmates of his, another as well as Wilson, paid the same day, and he should see that their money was secured—I said, "Call for the landlady and a policeman or two, so that every body shall see what money the man has got, and deposit it down on the table," but the prisoner did not wait, but went and searched the man's pockets, I jumped on the same seat where Wilson was, took hold of his collar, lifted him, and said, "Don't search the man in that way—why not put what money the man has down?"—I did not see the money—Fraser came in at the time—I then left the two of them together searching the man—Fraser stood there—I cannot say whether Wilson's head was up at the time, or whether it fell down when I let go of it—I heard the money jingle in the prisoner's hand as I went round, but whether it was silver or gold I cannot tell—the alarm was given in a moment that the man was robbed—I was going out at the time, but I stopped, and said I had 1*s.* and a farthing when I went into the house, and had spent 6*d.*—they said I must be searched—the prisoner was not suspected, being a respectable man aboard the ship, and I was as liable to be searched as another person.

Cross-examined. *Q.* Are you a shipmate of Wilson's? *A.* No, but I lodge in the same house—there were two or three there who had been on board the *Wandsworth*—one is gone to sea, his name is M'Galveray—he saw the money—I did not, I heard it—he was on the opposite side as I was holding Wilson's head up—the prisoner said openly he would search him, and take the money from him that he had, and keep it safe.

JACOB HENRY KELLERS. I live in Bluegate-place. I went with Wilson to the Swan public-house—the prisoner came in, and Wilson called for

a pint of rum to treat the prisoner—the prisoner asked him to come down to his lodging-house—Wilson gave a sovereign for the rum, and received 18*s.* out—I saw both sovereigns and silver in his hand at the time—I cannot swear how many—I accompanied the prisoner and Wilson to Fraser's beer-shop—I tried to persuade Wilson to come home, but the prisoner laid hold of him, and pulled him back again—I was turned out by Fraser because I was saucy, I suppose, but Fraser has sworn he never saw the man's face—he did see it, for he was standing at the end of the counter, and I had him by the collar.

Cross-examined. *Q.* In whose company were you? *A.* I went with Wilson, Kelley, and one of the prisoner's shipmates named Morris—I am a waterman—I was turned out before M'Galveray came—I believe I was a little saucy—I was not sober, or I should not have been saucy—I do not complain of being turned out, for I was saucy.

Mary Ann Skeet. I am the wife of Edward Skeet, and live in Fortunate-place, Bluegate-fields. I went with Wilson to the ship *Wandsworth* when he came from there, I saw some sovereigns in his hand—he gave me one, and afterwards went with the remainder of the money about him—between nine and ten o'clock in the evening I was sent for to Fraser's beer-shop, and saw Wilson there outside the bar—Kellers was trying to fetch him home, and the prisoner was trying to take him into the little parlour—he detained him, and was the means of his not coming home—I was sent for again between eleven and twelve o'clock—I then found Wilson insensible from liquor, lying with his head on the table—Kellers was raising him up—I was given to understand as I went in that he had lost his money—I insisted on a policeman searching him before he went to my house—the policeman said he could not till he went to the station-house—he was taken there, and half-a-crown was found on him—when we came back to Fraser's the prisoner was there—I said he ought to be searched—as soon as I said that, a girl who was with him pulled him out of the doors—he went out with the girl.

Cross-examined. *Q.* The girl pulled him out? *A.* Yes, into the street—as soon as I said he ought to be searched, he said, "Let us go," and the girl pulled him out by the sleeve—he was not particularly drunk—he was a little so, but not much—he went out just as I spoke.

William Clapson (*police-sergeant K* 7.) In consequence of what I heard between nine and ten o'clock I went to the King William public-house, New Gravel-lane—I there saw Wilson, the prisoner, and other persons—Wilson complained of being robbed—at first he said, to the best of my recollection, that he had lost nine sovereigns—on questioning him I learnt he had received nine and some silver the day previous, for his pay, and he had paid one away and changed one—this was said in the prisoner's presence—the witness Jackson, in naming the circumstance of Wilson being robbed, said that it was proposed they should all be searched before they left, and that the prisoner was shortly after absent—I immediately asked the prisoner what money he had about him—he said, "I have sixpence or a shilling, and some coppers"—I went to Fraser's with him, and after he got there I thought he seemed uneasy or fidgetty—he passed round the bar into a little back parlour, returned immediately, and said, "I will be with you in a minute"—he crossed the tap-room and opened the back door—I was close to him, and said, "Where are you going?"—he said, "Backwards"—he had unbuttoned

his braces, as though he was going to the back place—I said, "I shall not allow you to go there till I search you"—I took hold of his hand—he pulled back from me, but I took him into the tap-room, and searched him—I found sixpence in one pocket, and 4*d.* in copper, and one shilling and two sixpences in another, and a knife—the prosecutor at that time said the knife was his—he has not identified it since—the prisoner then said, "It is no use your searching me any further, I have nothing else about me," and he began putting his handkerchief on his neck—I said I must see something more about him—he sat down, and took off his right shoe—when the heel went on the floor I heard something make a noise, and when I took off the stocking, I shook it on the table, and two sovereigns came out of it—I have omitted to state, that I had previously asked him what business his hands had in the prosecutor's pocket the night before—he said he had passed them into his pocket to see if he had any money to pay his reckoning, and he took out half-a-crown and a halfpenny—when I found the two sovereigns he said, "I know I took them, but I intended to give them to him, but was afraid, as there was so much noise about it."

MARK JARVIS (*police-constable K* 193.) I was on duty in High-street, Shadwell—about ten o'clock on the night in question, a man came, and said a sailor had been robbed—I accompanied Peathing into Fraser's beer-shop, and saw the prosecutor lying asleep there, with his head on the table, and the prisoner standing by him—Peathing said to him, "You are a ship-mate of his, why not see him home? You ought to have taken care of him, and not see him robbed"—the prisoner said, "I have searched his pockets, and all I can find is half-a-crown and a halfpenny"—at the same time Fraser called for the reckoning, the prisoner put his hand into his pocket, took out some money, and I saw four sovereigns in the back part of his hand—the reckoning was 2*s.* 10*d.*—he paid 2*s.* 6*d.*, and Fraser said, "Never mind the odd halfpence."

Cross-examined. *Q.* Did he show you the four sovereigns? *A.* I was standing close by him, and I saw them in the back part of his hand—I said nothing about it—he appeared to take them out of his pocket—his finger was on them, but I could see them—I cannot say whether Fraser must have seen them, he was more to the left—I was not examined before the Magistrate—the case was committed—the sergeant did not know we had been called in, and we could not tell at the time but the prisoner might be entitled to have money of his own as wages—we found out afterwards that he had not been paid.

WILLIAM PEATHING (*police-constable K* 264.) I went to Fraser's beer-shop with Jarvis, between ten and eleven o'clock, and saw Wilson lying, with his head on the table, and the prisoner standing by the side of him—I said, "Are you a shipmate of this man's?"—he said, "Yes, I am"—I said, "You appear sober, take care of the man, I understand he has been robbed, do you know any thing about his money?"—he said, "I only found half-a-crown and a halfpenny on him"—Fraser came for his reckoning—the prisoner paid him 2*s.* 6*d.*—Fraser said, "Never mind the 4*d.*"—I said, "Mr. Fraser, I hear the man has been robbed; I will go to his landlady, and see if he has deposited any money in her hands"—I went to Mrs. Skeet's—Wilson was asleep at the time at the table—I saw half-a-crown and a halfpenny in the prisoner's hand—I asked him again what money he took out of the man's pocket, and he said, "Half-a crown, a shilling, and a halfpenny"—I saw no other money in the prisoner's hand but the half-crown and halfpenny.

MR. PRENDERGAST *to* ALEXANDER WILSON. *Q.* Have you not said, if you got your money back you believed it was all right, and you did not want to do any thing further with the prisoner? *A.* I told the prisoner next morning that I was thankful to him for taking my money, to take care of it, for perhaps I might have lost it—they told me next morning he had taken it to take care of, but he never gave it to me—he denied having it.

GUILTY. Aged 35.—Transported for Ten Years.

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294. MARY WELCH and JANE BATES were indicted for stealing, on the 2nd of December, 1 umbrella, value 11*s.*; 1 waistcoat, value 6*s.*, and 1 handkerchief, value 2*s.* 6*d.*; the goods of Samuel Bradbrook.

SAMUEL BRADBROOK. I am a porter, in the service of Mr. Morland, of Old-street, and lodge in the first-floor of No. 13, Memel-street, Old-street—the prisoners worked in the upper floor of the same house, for Mr. Lambell, a book-binder. On the 2nd of December, I went out about half-past one o'clock, locked my room-door, and gave the key to the landlady—I returned at five o'clock, found the door unlocked, and missed an umbrella, a waistcoat, and a handkerchief—I informed the police—an officer came, and my landlady accused Bates of the robbery—she said she knew nothing of it—she afterwards said she saw Welch with the things, that Welch gave her the umbrella, she took it to a marine store-shop in Golden-lane, and left it there for 1*s.*, and that Welch said she had taken it from No. 7, Noble-street, where she was at tea on the Sunday evening—these are my things—(*looking at them.*)

Welch. The door was open.

BENJAMIN MEECHAM. I am shopman to John Walter, a pawnbroker in Aldersgate-street. On the 2nd of December a woman pledged this waistcoat and handkerchief, in the name of Mary Cox, No. 7, Bridge-water-gardens—I do not know who the woman was.

MARY ANN MORRIS. I am the wife of Morris Morris, and keep a marine store-shop in Golden-lane. On Monday afternoon, the 2nd of December, the two prisoners came to my shop—Bates asked if I had a pair of pattens to dispose of—I said I had—I gave them to her—she had no money to pay for them—she said she was going on business to the west-end of the town, she should have money when she returned, and if I would give her 8*d.* she would leave this umbrella till she came back—she said she could not pledge it, as the pawnbroker's would be shut up before she came back; that it was only lent her, and she dared not return without it—I gave her the pattens and the 8*d.* and took the umbrella up stairs—they both went away, and did not return—a gentleman came next day and asked for it, and I brought it down.

WILLIAM WOODWARD (*police-constable G* 188.) On the 3rd of December I was called in to the prosecutor's—Welch came down stairs and went out—Bates came down afterwards, and asked what was the matter—we said, some things had been stolen from the prosecutor's room—the landlady asked if she knew any thing about it—she said, "No"—the landlady then said, "If you will tell me whether you know about it I will forgive you"—the prosecutor was not present then—in consequence of what Bates said, I went to Morris's shop—I apprehended Welch the same night—I told her what it was for—she said the room-door was open and

she went in and took them—the waistcoat and handkerchief she had pledged at the corner of Fann-street, for 1*s.* 6*d.*, but she had lost the ticket, and the umbrella was left at the marine store-shop for 1*s.*, and Bates knew she had taken them.

SAMUEL BRADBROOK *re-examined.* I was not acquainted with the prisoners—I never saw them till about a week before—they do not sleep in the house, only work there in the day.

(The prisoners received a good character.)

WELCH—GUILTY. Aged 15. } *Recommended to mercy.*—Confined
BATES—GUILTY. Aged 17. } One Month.

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295. EDWIN DAVIDSON was indicted for embezzlement; to which he pleaded

GUILTY.—Confined Three Months.

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296. JOHN HAWKINS was indicted for stealing, on the 6th of December, 7 handkerchiefs, value 3*s.* 9*d.*, the goods of James Watkins; and that he had been previously convicted of felony.

WILLIAM WINDSOR. I am in the service of Mr. Phillips, of Lloyd-square, Clerkenwell. On the evening of the 6th of December, about five o'clock, I saw the prisoner against the door of Mr. Watkins, a linen-draper, at the corner of Exmouth-street—I saw him draw something from the door—I was on horseback—I got off, gave the horse to somebody, pursued, and overtook him about two hundred yards from the place—he was running—I brought him to the station-house, and there he gave out of his apron, which was before him, a piece containing seven handkerchiefs.

JAMES WATKINS. I am a linen-draper, and live in Exmouth-street—these handkerchiefs are mine.

WILLIAM BRADLEY. I am a policeman. I received the prisoner in charge, with the handkerchiefs.

WILLIAM FITZGERALD (*police-constable N* 255.) I produce a certificate of the prisoner's former conviction—I know him—I had him in custody, on the 8th of April, for stealing a tub of oysters—he is the person named in the certificate—he was tried in the name of Cornish—(*read.*)

GUILTY. Aged 35.—Transported for Seven Years.

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297. THOMAS ALGAR was indicted for stealing, on the 5th of December, 1 handkerchief, value 5*s.*, the goods of Henry Tuckett, from his person.

HENRY TUCKETT. I live in South-street, Finsbury-square. I was walking along Ratcliffe-highway, between twelve and one o'clock on the 5th of December, and felt something moving at my coat tail-pocket—I turned suddenly round, and found two young men close behind me, one of whom, the prisoner, had my handkerchief in his hand—finding he was detected, he immediately threw it away—I seized him and called "Police," and in about five minutes the beadle came forward, and I gave him into his charge—the other one ran away immediately.

Prisoner. It was not me that picked his pocket. *Witness.* I am certain I saw it in his hand, and he threw it away.

WILLIAM SUMMERS. I am a beadle. The prisoner was given into,

my custody from the prosecutor, who had the handkerchief in his hand, and said the prisoner had taken it from him—I conveyed him to the station-house—he said his name was Thomas Williams, and he lived in the Commercial-road—I asked him where there—he said he did not know—I said if he was an honest lad I would inquire about his character—at the station-house the sergeant said his name was Algar, and he had recently come out of the House of Correction, and had been in custody five times—he afterwards said his name was Algar, and he lived in Southampton-street, Bethnal-green.

(Property produced and sworn to.)

GUILTY.** Aged 18.—Transported for Ten Years.

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298. ANN DONOVAN, *alias Driscoll*, was indicted for stealing on the 3rd of December, 1 half-sovereign, 2 half-crowns, 1 shilling, and 1 sixpence, the monies of Isaac Death, from his person.

ISAAC DEATH. I am a fisherman, I live at Colchester, and belong to the *Martha*. On the 3rd of December I was coming along Thames-street, by Tower-hill and the Custom-house—I went into a public-house, had some porter, and saw the prisoner and two other women, who all three followed me out into Billingsgate-market—I went into a public-house in Dark-house-lane—the prisoner ordered a quartern of gin—I had one glass and a pint of ale—when I came out the prisoner came to me—I had been talking with her about a person who came from our part—I told her I did not know such a person—just as I was going on board my smack, a person asked if I had not lost any thing—I felt, and missed half-a-sovereign, two half-crowns, one shilling marked "I D," and, I believe, a sixpence—I have since seen the shilling—I am certain I had not parted with it—the prisoner was taken into custody—she put her hand into her bosom, took the money out, and held it fast till the officer told her to give up what she had got, and out of her bosom fell half-a-sovereign, half-a-crown, one shilling, and twopence—the shilling was marked "I D."

Prisoner. *Q*. Did not you give me a shilling and two half-crowns to go on board the ship with you? *A*. No; I told her I had a wife and family, and would not go with her.

Prisoner. He asked me to go on board with him, and said he would give me 4*s*. or 5*s*.—he gave me two half-crowns and a shilling, as he said his ship was going out at two o'clock in the morning, but I would not go with him—he called a policeman, and gave me in charge—he was very tipsy. *Witness*. I was as sober as I am now—I never gave her any thing—the bag containing my money was taken out of my left-hand pocket, but I afterwards found it in my jacket pocket empty.

JOHN WINGRAVE, (*City police-constable, No.* 105.) I saw the prosecutor in company with three women, and told him to go or he would be robbed—I watched them out of the public-house into the market, then spoke to the officer on the next beat about it, and they were all three taken into custody. The prisoner was searched, and I saw the money produced out of her right hand—the shilling marked "I. D." was among it.

Prisoner. I told them he gave it me to go with him—I put the money in my bosom, as I thought he would want it again, as I would not go on board with him—the policeman told him not to say he took me into a public-house, but that I took him in. *Witness*. I followed her along

Thames-street into another public-house, knowing her character, a watched her well—I told her to go home about her business.

WILLIAM LEWIS. I am a policeman. I cautioned the prosecutor w I saw with the three women—they went into a public-house in Dark-hou lane—when they came out I stopped them, about ten yards from the t of the lane, and asked the prosecutor if he had lost any thing—he put h hand into his pocket and said, "I have lost my purse containing one ha sovereign, two half-crowns, one shilling, and, I believe, a sixpence"—I gave a description of the purse—I called two officers, and we took the w men to the station-house—I was ordered to search the prisoner—she sa "Stop a bit, I will give you all the money I have, if you find any more me it don't belong to me"—she gave me one halfpenny, which I put on t table, and began to search her—on finding her left arm very close to h side, I lifted it up, and the money fell from her arm-pit into her stays— was going to take it, and she took it out herself—I seized her hand, an with a good deal of persuasion she opened her hand on the table, and the was a half-sovereign, two half-crowns, a shilling, sixpence, and 2*d.*

Prisoner. I told him he gave it me to go on board with him. *Witnes* She did not—she frequently laid hold of the prosecutor's arm, saying "Now, let us go home and have a drop," and she might have dropped th purse into his pocket—the prosecutor had the appearance of having take gin, but knew perfectly what he was about—I did not observe whether th prisoner had a pocket—she was searched by a female.

ISAAC DEATH *re-examined.* The prisoner sat alongside me in th house, and after I had got out of the door she caught hold of my arm, an said, "Come along, here is an officer"—she had an opportunity of puttin the purse into my pocket.

(Edward Parsley, of Wheeler-street, Spitalfields; and Henry Shaw, o Aldersgate-street, Bethnal-green, gave the prisoner a good character.)

GUILTY.** Aged 27.—Transported for Ten Years.

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299. JOHN MORRIS, was indicted for stealing, on the 12th of December, 23 lbs. weight of sugar, value 10*s.*, the goods of Henry Howell.

HENRY HOWELL. I am a grocer, and live in Carburton-street, St. Marylebone. I lost a loaf of sugar last Thursday morning—I know this to be the same—(*looking at it.*)

STEPHEN STACEY. I am a tailor, and live in Cirencester-place. On the 12th of December, about half-past seven o'clock in the morning, I saw the prisoner and another go into Mr. Algaves', a chandler's shop—one of them bought 1*d.* worth of tobacco—I was going to a customer, and on my return I saw the prisoner coming out of the prosecutor's shop with something in his apron—I suspected, and followed him to Cleveland-street—I asked him what he had got—the prisoner said he was going to take it somewhere—I brought him back to the prosecutor, who claimed it—the prisoner said he did it from hunger.

Prisoner. I was employed to go with a young man to do a job—he told me to take the loaf—I put it into my apron, and walked away—the witness came, and told me to bring it back, which I did. *Witness.* I saw his partner separate from him—it was the prisoner who went into the shop.

DANIEL MOBBS. I am a policeman. I took the prisoner into custody —he said he was very sorry—it was the first time he ever did such a thing, and he would never do it any more.

GUILTY. Aged 19.—Confined Three Months.

300. MARY HALLETT was indicted for stealing, on the 9th of December, 2 blankets, value 12*s.*; 1 counterpane, value 7*s.*; and 2 combs, value 1*s.*; the goods of Mary Higgins.

MARY HIGGINS. I am single, and live in Dolphin-place, Holborn. On the evening of the 9th of December, I went out about six o'clock, leaving the prisoner to take care of my room—she had been three weeks with me—I returned in about an hour, found my door closed, and the key in it—I found my bed stripped, and missed two blankets, an apron, and two combs—the prisoner was gone—I ran out directly to look for her, and found her in about an hour down Clerkenwell-green—I laid hold of her arm, and gave her in charge—she knocked me about a great deal until the policeman secured her.

Prisoner. You sent me to pawn the counterpane and blanket. *Witness.* I did not—I never employed her to pawn any thing for me at any time—I did not go with her to the pawnbroker's—Clerkenwell-green is about a quarter of an hour's walk from my house.

THOMAS TAYLOR (*police-constable G* 230.) I received charge of the prisoner from the prosecutrix about half-past seven o'clock on Clerkenwell-green—she was trying to get from the prosecutrix—I took her to the station-house, and received from the female searcher two combs, a watch-guard, and one duplicate.

Prisoner. Q. Did not I tell you she gave me the blanket to pawn? *A.* She at first said she had not had them—she afterwards said the prosecutrix gave them to her to pawn—no money was found on her.

HENRY HAMPSTEAD. I am in the service of William Ward, a pawnbroker, in Gray's-inn-lane. I produce two blankets and a counterpane pawned by the prisoner, I believe, between twelve and two o'clock, in the name of Mary Elliott, No. 23, Newman's-buildings, Lincoln's-inn-fields for 8*s.*—I am certain it was between twelve and two o'clock, for my employer was at dinner.

MARY HIGGINS *re-examined.* They could not have been pawned between twelve and two o'clock, for I was lying on them till I got up to go out, about six o'clock—they were in the room then.

Prisoner. I was seven or eight weeks with her—she sent me to pawn them, and came and met me outside the pawnbroker's, and I gave her the money. *Witness.* I am quite sure I did not send her to pawn them—I was able to go myself if I had wanted to do so.

Prisoner. We went to a public-house, and drank some gin—I understand she has transported a young woman before. *Witness.* I was robbed of some goods about six months ago by a woman—I was never at this Court before—I was at Hatton-garden about that. NOT GUILTY.

NEW COURT.—*Tuesday, December* 17*th*, 1839.

Fifth Jury, before Mr. Common Sergeant.

301. SAMUEL ELLICK was indicted for stealing, on the 10th of December, 14lbs. weight of brass, value 9*s.* 4*d.*, the goods of the London and Birmingham Railway Company, his masters; to which he pleaded GUILTY. Aged 17.—Confined Three Months.

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302. THOMAS WATTON was indicted for stealing, on the 29th of

November, 1 handkerchief, value 1*s.*, the goods of William Bennett, fro his person; to which he pleaded

GUILTY. Aged 18.—Confined Three Months.

303. JAMES HYDE was indicted for stealing, on the 12th of Decem ber, 1 umbrella, value 3*s.* 6*d.*, the goods of James Allen; to which h pleaded

GUILTY. Aged 15.—Confined Three Months.

304. JOHN LANGDON was indicted for stealing, on the 12th December, 2 handkerchiefs, value 6*s.*, the goods of Joshua Farthing.

CAROLINE FARTHING. I am the wife of Joshua Farthing, a tailor, wl lives in Goswell-street, St. Luke's. On the 12th of December the pr soner and another man came to the shop—they asked for a coat—as turned to call the shopman to suit them the prisoner went behind the cou ter, took these handkerchiefs off the shelf, and put them into his pocket- I went into the shop again, looked on the shelf, and saw they were gone- I told the shopman—he went after him, and I saw no more of him till I was in custody—these are the handkerchiefs—(*looking at them.*)

JOHN GULLEFORD. I was called, I went out, and called "Stop-thief —the prisoner was running up Noble-street—I followed him—he w stopped, and gave me the handkerchiefs from his outside pocket—he h got a quarter of a mile from the shop.

Prisoner. I hope you will have mercy.

GUILTY.* Aged 23.—Transported for Seven Years.

305. REBECCA TYRRELL was indicted for stealing, on the 9th November, 1 bed, value 30*s.*; 3 sheets, value 6*s.*; 1 blanket, value 2*s* 1 counterpane, value 1*s.* 6*d.*; 1 pillow, value 1*s.*; 1 bolster, value 3*s* 1 petticoat, value 2*s.*; 2 caps, value 1*s.*; 1 pair of boots, value 2*s.*; bonnet, value 3*s.*; 1 collar, value 4*d.*; 1 box, value 1*s.* 6*d.*; 1 tea-cadd value 6*d.*; 1 bed-gown, value 1*s.*; and 1 handkerchief, value 6*d.*; t goods of Hannah Burgin; and that she had been before convicted of felon

HANNAH BURGIN. I am a widow, and lodge in York-street, Shor ditch, the prisoner lodged with me. On the 9th of November I left m bed, blankets, and other things safe—a little after tea I went out, and ga the prisoner the key—I came home in the evening, and they were gon and she also—these are them—(*looking at them*)—they are mine—I nev saw her again till she was taken—she had lodged a week with me.

WILLIAM YARDLEY. I bought this bed, blankets, pillow, and counte pane of the prisoner, in November.

GEORGE TEAKLE (*police-sergeant H* 8.) I took the prisoner—I to her I supposed she knew what I took her for—she said "No"—I sent f the prosecutrix, who identified the bonnet on her head.

WILLIAM HUTCHINGS (*police-constable H* 128.) I produce a certifica of the prisoner's former conviction, which I got from Mr. Clark's office- (*read*)—the prisoner is the person.

GUILTY. Aged 18.—Transported for Seven Years.

306. HENRY WOOD was indicted for stealing, on the 25th of N vember, 10 yards of calico, value 4*s.* 8*d.*; 4 yards of ribbon, value 5*s.* $2\frac{3}{4}$ yards of holland, value 2*s.* 9*d.*; and 4 handkerchiefs, value 14*s.*; th goods of William Debenham and others, his masters: also, on the 16th

September, 22 yards of linen cloth, value 2*l.* 5*s.*; 16 yards of lawn, value 1*l.* 11*s.*; 8 handkerchiefs, value 1*l.*; and 7½ yards of cotton cloth, value 18*s.*; the goods of William Debenham and others, his masters; to both of which he pleaded

GUILTY. Aged 19.—Transported for Seven Years.

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307. MATILDA SUTER was indicted for stealing, on the 4th of November, 1 cloak, value 5*s.*, the goods of Thomas Cotterell.

WILLIAM ROBERT MAYNARD. I am shopman to Thomas Cotterell, a pawnbroker in Shoe-lane, Fleet-street. About one o'clock on the 4th of November, the prisoner came to the shop, I had occasion to turn my back, and in the meantime she ran out—I looked round and missed the cloak—I ran out, but could not find her—this is my master's cloak—(*examining one*)—I saw it about a fortnight after it was lost.

Prisoner. He stated at Guildhall that it was the middle of September. *Witness.* No, I said the 4th of November.

DANIEL SYMONDS. I am a pawnbroker, in Baldwin's-gardens—the cloak was pledged by the prisoner on the 4th of November.

SAMUEL ALLAN (*City police-constable, No.* 51.) I took the prisoner for something, and found on her the duplicate of this cloak.

The prisoner called

JOHN WATSON. I am a ginger-beer manufacturer, and live at Nevill's-court, Fetter-lane—the prisoner has been with me five years. On the day that they say the cloak was taken at one o'clock, she was with me till half-past two o'clock—that was on Monday, the 4th of November, because I had a gentleman dining with me—she left us about half-past two o'clock, and went to Petticoat-lane, as she said; and twelve or fourteen of the duplicates the officer has are of my property.

GUILTY. Aged 39.—Transported for Seven Years.

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308. THOMAS SUTTON was indicted for stealing, on the 12th of December, 37 lbs. weight of iron, value 1*s.* 3*d.*, the goods of James Chitty; and that he had been before convicted of felony.

JAMES MOORE. I am in the employ of James Chitty, a wheelwright, and live at Old Brentford. We have lost some old iron, which is here—some of the pieces I can swear to—I had this piece (*looking at one*) in my hand a week ago—some of it had been inside and some outside our shop—there is 37 lbs. weight of it—it is worth 1*s.* 3*d.*

JOHN SAWYER. I am assistant to Mr. Soloman, a dealer in marine-stores at Brentford End. On the 12th of December the prisoner came with this iron to sell—I sent for an officer, who took him.

Prisoner's Defence. I found it on a dung heap.

EDWARD JAMES LEVY (*police-sergeant S* 18.) I produce a certificate of the prisoner's former conviction which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 19.—Transported for Seven Years.

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309. JOSEPH COWARD was indicted for stealing, on the 11th of December, 30 lbs. weight of lead, value 8*s.*, the goods of Elizabeth Jenkinson and others, and fixed to a certain building.

GEORGE ENGLAND. I am a plumber, and live in Hoxton Old Town. I was employed by Elizabeth Jenkinson and Sons. I was sent to a house in Vine-place, where the prisoner lived, on Saturday afternoon, to examine

the gutter and measure it for a new one—I took one on Monday, and when I got there the old one was removed—it was worth 8*s.*

JAMES WELLS. I live close to Coward's. On the 7th of December, a little before nine o'clock in the evening, I went into the yard, and heard a noise—I heard the tiles rattle—I went to a vacant piece of ground, and saw the prisoner on the top of the house—I asked what he was about—he said he was on his own dwelling, and asked who I was, and said I might go round and inquire if I liked—I went and spoke to Clarke—he went up with a ladder in about five minutes, and then the lead was gone—it has not been found—I did not see him take any.

ELIZABETH WELLS. On Monday afternoon I saw the prisoner moving the lead with a knife and a hammer—he lifted it up—I do not know how far he had moved it—it was not cut off the house.

JOHN SAYER (*police-constable N* 34.) On Wednesday, at twenty minutes past nine o'clock, I was going down Hoxton, and saw the prisoner with a piece of lead, about five feet long, rolled on his shoulder—knowing he was a painter and glazier, I did not think it was wrong.

JOSEPH LIDDLE (*police-constable N* 270.) At twenty minutes past nine o'clock that evening I saw the prisoner at Hoxton with the lead on his shoulder—he was tipsy.

Prisoner's Defence. I had no lead in my possession—they must be mistaken—on the Monday I went up to put two or three squares in, as the rain came through at the top of the house.

NOT GUILTY.

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310. JOHN JOHNS was indicted for stealing, on the 12th of December, 2 dead ducks, value 4*s*; and 27 bottles, value 4*s.* 6*d.*, the goods of Robert Michael Baxter.

JOHN CHARLES SAUNDERS. I am coachman to Mr. Robert Michael Baxter, of Craven-hill, Bayswater. On the evening before the 13th of December I saw two ducks hanging in the cellar, and next morning I missed them—I had reared them and fed them, and I know them—these are the heads and feet.

JOHN ROBERTS (*police-constable T* 91.) About twenty minutes before six o'clock, on the morning of the 13th of December, I met the prisoner coming out of Craven-lane with two packages—I stopped him, and asked what he had got—he said, empty bottles which were given him by a servant on the terrace, but he would not give the name—he then said he had two ducks, and the servant gave him the bottles for taking the ducks to where he was to take them—I found the bottles and the ducks on him.

ALFRED TAYLOR. I am the prosecutor's footman. I missed the bottles in the morning when the ducks were gone—I did not give them to the prisoner, nor authorise him to take them—he had lived there as footman formerly.

GUILTY. Aged 25.—*Recommended to mercy.*—Confined Three Months.

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311. SAMUEL RAPHAEL was indicted for stealing, on the 30th of November, 1 sovereign, the monies of Henry Clark.

ELIZABETH CLARK. I am the wife of Henry Clark, and live in Cook's-walk, Union-street, Kingsland-road. I received a sovereign from my husband's father on Saturday evening, the 30th of November, about seven o'clock—I put it into my pocket with a shilling and some halfpence—I

went to the prisoner, and bought three cups and saucers, and gave him the sovereign instead of a shilling—he gave me sixpence change—I put it into my pocket, and went to a pork shop—I found I had only 1*s.* 6d. and a few halfpence—I went back, and the prisoner was standing at the same place—I said, "Look in your pocket, and see what I gave you," without telling him why—he said, "You have not given me a sovereign"—he put his hand into his pocket, pulled out some silver, and said, "You can see whether I have got it"—a policeman came up, and I gave the prisoner into custody—I was in the yard at the office on the Monday when he was brought up—he said, "You are a poor woman?"—I said "Yes"—he said, "If I had known that, I would not have done it."

Cross-examined by MR. PHILLIPS. *Q.* It was dark? *A.* Yes—he was willing to give it back to me at last, but the Magistrate would not let him.

SARAH POOLE. I was with Clark. I have heard what she says—it is quite true—the prisoner was willing to give the money back, but the Magistrate would not let him.

WILLIAM CROSS (*police-constable G* 217.) I took the prisoner—he was searched, but no sovereign found on him—about ten minutes elapsed between the time the prosecutrix said she gave him the sovereign and my coming up.

Cross-examined. *Q.* You searched him? *A.* Yes, and found a quantity of silver on him—the prosecutrix represented to the Magistrate that the prisoner said he would pay her the sovereign, provided she did not hurt him.

GUILTY. Aged 18.—Confined One Month.

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312. WILLIAM MATTHEWS was indicted for stealing, on the 6th of December, 6 lbs. weight of bacon, value 4*s.*, the goods of Thomas Palmer.

JANE PALMER. I am the wife of Thomas Palmer, who keeps a coffee-shop in Turnmill-street. My niece called me on the 6th of December—I saw the prisoner with two pieces of bacon, and my little girl hanging to him—as I pushed him into the door, he dropped one piece of bacon—it is my husband's—I had seen it safe not ten minutes before.

SOPHIA BAYLIS. I live with my uncle. I was cleaning a shelf in the shop, the prisoner came and looked in and saw no one—he went in, took the bacon, and ran to the door, and as he was going out, I took hold of him, and called my aunt—she came and pushed him in, one of the pieces of bacon fell, and the other was in his hand.

GUILTY. Aged 12.—Transported for Seven Years—Isle of Wight.

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313. JAMES BOWYER was indicted for stealing, on the 13th of December, 1760 sheets of printed paper, value 12*s.*, the goods of William Cope.

CHARLES HASSAN. I am in the employ of William Cope, a bookbinder and stationer, in St. Martin's-lane. We have lost 1760 sheets of printed paper—the Report of the Poor Law Commissioners was amongst it—I have not the least doubt that this is my master's—(*looking at it*)—I saw it safe about a quarter to six o'clock, on the 13th of December, in the passage of our house.

JOHN PIKE (*police-constable F* 105.) I was on duty a quarter-past six on the 13th of December, in Monmouth-street—I saw the prisoner

going up the street very fast with this paper on his head—I asked where he was going—he would not give me a satisfactory answer—I said he must go with me—he threw it off his head into my face, knocked my hat off, and ran off—I took him, and produce the property.

Prisoner. I met some young man who asked me to carry it to the Green Man and Still—a person told the officer so, and I offered to take the policeman to the house in St. Martin's-lane, where I received it—the man was before me. *Witness.* There was a man passed and said something about St. Martin's-lane, but I don't know what.

GUILTY.* Aged 20.—Transported for Seven Years.

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314. GEORGE BOTTOMLEY was indicted for stealing, on the 13th of December, 1¼ lb. weight of bacon, value 9*d.*, the goods of Jennison Barrett.

JENNISON BARRETT. I keep a cheesemonger's shop in Chichester-place, St. Pancras. About seven o'clock, on the night of the 13th of December, I was in the parlour—I saw the prisoner take a piece of bacon from the window, which was shut, and go out—I followed, saw him drop it, and took him and the bacon, and gave him in charge.

Prisoner. Two boys sent me to take it.

GUILTY.* Aged 14.—Transported for Seven Years.—Isle of Wight.

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315. ANN CARR was indicted for stealing, on the 10th of December 1 shawl, value 1*s.* 6*d.*, the goods of Roger Williams.

ALFRED WILLIAMS. My father, Roger Williams, keeps a draper's shop at New Brentford—I missed a shawl on the 10th December—this is it—(*looking at one*)—I ordered the policeman to go and search the prisoner's lodging—I had seen it safe about the middle of the day on Tuesday, the 10th of December.

EDWARD TALBOTT (*police-constable T* 30.) I found the shawl at the pawnbroker's.

JOHN BURFORD. I am a pawnbroker. This shawl was pledged by the prisoner on the afternoon of the 10th of December—I never knew any thing against her.

Prisoner. I was out of work.

GUILTY. Aged 24.—Confined Six Months.

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316. HENRY HARRIS was indicted for stealing, on the 2nd of December, parts of 2 forks, value 2*s.*; 1 spoon, value 1*s.* 6*d.*; and 1 oz. weight of silver, value 3*s.* 6*d.*, the goods of George William Henry Coward, his master: and CHARLES WILLIAMS, for receiving the same, well knowing it to have been stolen; against the Statute, &c.; to which Harris pleaded

GUILTY. Aged 16.—Confined Six Months.

GEORGE WILLIAM HENRY COWARD. The prisoner Harris was my errand boy. On the 2nd of December the policeman brought these forks, spoon, and silver to me—I identified them as mine.

ROBERT PEAK. I am a jeweller, and live in the City-road. On Monday evening, the 2nd of December, Williams came and offered these articles for sale—he said they were given him by another boy whom he did not know—the policeman was passing, and I gave him in charge.

HENRY JOSEPH SNELLING (*police-constable G* 203.) I took Williams—he said he got them from a boy who was waiting outside to receive the produce, and that he did not know his name, but in going to the station-house

he said it was Henry Harris, who lived at Mr. Coward's, a surgeon, and he told him he had received them from his mistress as a present.

WILLIAMS—NOT GUILTY.

317. WILLIAM TROTT was indicted for stealing, on the 10th of December, 1 till, value 3*s.*; 6 half-crowns, 12 shillings, 6 sixpences, 120 fourpences, 144 pence, 90 halfpence, and 24 farthings; the property of Edward John Bath and another.

RICHARD BATH. I am the son of Edward John Bath, who is in partnership with my brother—they live in St. George's in the East. About five o'clock in the evening, on the 10th of December, I was in the room adjoining the shop and saw the prisoner reach over the counter and take the till—I am certain he is the person—I ran after him and hallooed, and he dropped it just outside the door, with the money stated, in it—none of it fell out—my brother followed, and he was taken.

EDWARD JOHN BATH. I heard a cry—I saw the prisoner running—I followed him and he was taken—I only lost sight of him in turning the corner.

JOHN KEYS. I was going along Ratcliff-highway, and saw the prisoner come out of the prosecutor's shop—I ran after him and stopped him—he said, "Let me go, I only broke a window."

GUILTY. Aged 27.—Confined Six Months.

318. CHARLOTTE WOODWARD was indicted for stealing, on the 23rd of November, 1 blanket, value 6*s.*; 1 pillow, value 2*s.*; and 1 counterpane, value 6*s.*; the goods of Alexander Eloure.

ALEXANDER ELOURE. I keep a coffee-shop in Hatton-wall. The prisoner came to lodge with me on the 20th of November—I let her these articles in the room—on the 10th of December they were missing—these are mine (*looking at them.*)

MARGARET BARRY. I am the prosecutor's servant. I missed these things—the prisoner had not left the lodging.

HENRY KENWORTHY. I am shopman to a pawnbroker. I took in these articles of the prisoner.

Prisoner. I pledged one of them to pay a week's rent, and another to put me in a little way of business—I did not mean to steal them.

GUILTY. Aged 42.—Confined Two Months.

319. DANIEL KIDNEY was indicted for stealing, on the 11th of October, 1 waistcoat, value 6*s.*, the goods of William Merritt, and that he had been before convicted of felony.

WILLIAM MERRITT. I live in Providence-terrace, King's-road, Chelsea, and am in the employ of Mr. Freak, a baker. On the 11th of October I went to Elizabeth-street, Pimlico—I left my waistcoat in the kitchen about one o'clock, and missed it at half-past five—this is it—I cannot say whether the prisoner was there that day—he was in the habit of going there.

WILLIAM EMERY. I am in Mr. Freak's employ. The prisoner was on his premises that day.

WILLIAM WISDOM (*police-constable B* 108.) I took the prisoner on the 3rd of December on another charge—I found this waistcoat on him.

Prisoner. I bought the waistcoat and a jacket of a recruit.

FRANCIS GRATWICK (*police-constable A* 107.) I produce a certificate

of the prisoner's conviction, which I got at the Clerk of the Peace's office Westminster—(*read*)—the prisoner is the person.

GUILTY. Aged 18.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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320. JOHN M'GRATH was indicted for stealing, on the 2nd of December, 1 watch, value 19*l*.; and 1 guard-chain, value 1*l*.; the goods of John Crawford, from his person.

JOHN CRAWFORD. I live in Wood-street, Goswell-street. On Sunday night, the 1st of December, I left my friend's house in the neighbourhood of Vincent-square, Westminster—I had been drinking—I have some recollection of being with a soldier in several public-houses in the neighbourhood of the Strand—I recollect being in the station-house, and being asked if I had a watch, I was shown this watch, which is mine, but it had a silver guard chain to it, which was not on it then—this is it—(*examining it*.

Prisoner. *Q*. Do you recollect giving me the watch? *A*. I cannot swear from the state I was in that I did not; but I have no recollection of it.

RUPERT RICHBELL (*police-constable F* 109.) At a quarter before six o'clock on Monday morning, the 2nd of December, I was in the Strand—I saw the prisoner and prosecutor together at the corner of Wellington-street—I went and asked the prosecutor if he had any money—he said, "No; only a few shillings"—I said, had he lost any thing—he said, "No"—I asked if he had a watch—he said, "Yes; a gold watch"—I asked if he had been in the company of any one—he said, "No; only this gentleman," (meaning the prisoner) calling him Captain some one—I then asked the prisoner if he knew any thing of that watch—he said, no, he did not—I asked if he had seen the prosecutor have any watch while he was with him—he said, "No"—he then took the prosecutor by the arm, and said, "Come along; d——n the watch; what do we care about the watch?"—I detained them, and said, "We will all go to the station-house together"—the prisoner said he should not *bother* himself about it; very likely the gentleman left it with the landlord of the last public-house where they had been drinking—I took hold of the prisoner's arm to take him to the station-house—he resisted a long time—I called assistance from another constable, and we took him—in going along, he turned and said, "The gentleman knows where the watch is"—the prosecutor said he did not—the prisoner said, "I do"—I said, "Yes; I believe you do; and I believe I do; I believe you have it"—I took him to the station-house, and in one of his pockets I found the watch, which the prosecutor said was his, but it had had a silver guard-chain to it, and under a pair of gloves, in another of the prisoner's pockets, I found this guard-chain—the prisoner resisted very much—I was forced to get over the bars and search him by force—he appeared to have been drinking, but knew what he was about—he is a private in the Guards.

ALLEN PHILLIPS (*police-constable F* 48.) I saw the prosecutor and prisoner about half-past four that morning in New Church-court, Strand—they had just come out of a public-house—the prosecutor had a Macintosh cloak on—I saw a guard-chain around his neck, where the Macintosh was open—the prisoner had hold of his arm, and was pulling him down towards the Strand—the prosecutor did not appear so much intoxicated as for me to take them, and I did not interfere.

Prisoner's Defence. I was going to barracks, and met this gentleman—he said, "Come with me, and have something to drink, you being an officer of the Guards"—we went to several public-houses, and got intoxicated—I might deny having the watch to the policeman, but I have no recollection of it.

GUILTY. Aged 27.—Transported for Ten Years.

321. WILLIAM ROBERTS was indicted for stealing, on the 11th of December, 2lbs. weight of bacon, value 1*s.*, the goods of William Freshwater.

MARY FRESHWATER. I am the wife of William Freshwater. We keep a chandler's shop in Cromer-street. On the 11th of December the prisoner came into the shop and asked for charity—I said I could not relieve him, but I went to the till with the intention of giving him 1*d.*—in going there I missed this bacon—I said, "You have taken some bacon, have you not?"—he said, "Yes, I have, and I will give it you again"—I went to call my neighbour, and the prisoner was gone with the bacon—I did not see him again till he was in custody.

Prisoner. *Q.* Did I offer it you again? *A.* Yes—you must have taken it from the counter.

HENRY WILLIAMS (*police-sergeant E* 8.) I heard a cry of "Stop thief," and met the prisoner running, calling "Stop thief" himself—I asked what was the matter—he said, a man had stolen a piece of meat and run that way—knowing that no one had passed me, I said, "I must take you and search you"—I found this bacon in his pocket—I found 4*s.* 6*d.* on him, also, a number of penny loaves, and other things.

Prisoner's Defence. I said, if I had got her bacon it was unknown to me—it was given me by a gentleman outside the shop.

GUILTY. Aged 55.—Confined Three Months.

322. ELIZABETH TOOMEY was indicted for stealing, on the 9th of December, 15 yards of ribbon, value 7*s.* 6*d.*, the goods of John Eveleigh.

OLIVER MONGSTON. I am an apprentice to Mr. John Eveleigh, a linen-draper in Munster-street. On the 9th of December, about half-past two o'clock, the prisoner came in for two yards of galloon, and while the young man who was serving her left the drawer on the counter and turned for another piece of ribbon, she took a piece of ribbon from the drawer—a lady came and told Mr. Eveleigh, who asked the prisoner to go to the top of the shop—I went behind her, and she dropped this ribbon from under her arm—she had not bought it.

MARY TRAIN. I am the wife of Robert Train, and live in William-street, Regent's-park. I was in the prosecutor's shop and saw a number of ribbons produced to the prisoner—I was close to her, and saw her take this ribbon, and put it under her shawl—I gave information—Mr. Eveleigh went and told her to step on one side, which she did, and the ribbon dropped from her arm.

WILLIAM SMITH (*police-constable S* 183.) I was called in, and took the prisoner and the ribbon—on the way to the station-house she said that most likely the witness was a thief herself.

(The prisoner received a good character.)

GUILTY. Aged 36.—Confined Three Months.

323. THOMAS TYRRELL was indicted for stealing, on the 11th of

November, 1 pair of saw-heads, value 1*s.* 6*d.*: and 1 screw, value 3*s.* 6*d.* the goods of Thomas Martin.

THOMAS MARTIN. I live in South Wharf-road, Paddington, and am stone-sawyer. I lost a pair of saw-heads about six weeks ago—it was in November—these are them, I have no doubt—(*looking at them*)—the prisoner worked in the same yard as I did.

EDWARD BRYANT. I live in Brown-street, Bryanstone-square, and am a stone-sawyer. The prisoner was at work with me, on the 23rd of November, with these saw-heads, in Osnaburg-street, at the back of Mr. Shaw's livery-stable.

RICHARD ROADNIGHT (*police-constable T* 120.) I received information and went to the stone-yard at the back of Mr. Shaw's livery-stable—found these saw-heads there—I took the prisoner.

GUILTY. Aged 25.

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324. THOMAS TYRRELL was *again* indicted for stealing, on the 30th of November, 1 plane, value 1*s.* 6*d.*, the goods of John Parkyn; 1 adze, value 3*s.* 6*d.*, the goods of Joseph Carpenter; and 1 adze, value 1*s.* 6*d.*, the goods of James Lay.

JOHN PARKYN. I live in Praed-street. I left my jack-plane, on the 30th of November, in a saw-pit at Mr. Nosworthy's—this is it—this adze belongs to Joseph Carpenter—it was in my care, and I left it with the plane—I do not know the prisoner.

JAMES LAY. I lost this adze—I had left it in the same saw-pit, at Mr. Nosworthy's, at the back of Oxford-terrace—I have known the prisoner about twelve months—he did not work there.

RICHARD ROADNIGHT (*police-constable T* 120.) I was on duty in Cambridge-terrace on the 30th of November, and took the prisoner with these things on him.

(Andrew Dubbs gave the prisoner a good character.)

GUILTY. Aged 25.—Transported for Seven Years.

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325. WILLIAM SAINSBURY was indicted for stealing, on the 3rd of December, 20lbs. weight of fat, value 7*s.*; and ¼lb. weight of candles, value 4*d.*; the goods of William Snodin, his master.

WILLIAM SNODIN. I am a tallow-chandler, and live in Red Lion-street. I have a melting-house in Elm-street—the prisoner has been in my service seven or eight years—he had no right to have any fat of mine to take away—the policeman took him with some, and some candles—I sell candles, but my stock is so large I could not miss them—he had no right to have any—he is a porter and assistant in the fat-loft—the officer showed me some fat and some candles, which I have no doubt were mine.

Cross-examined by MR. PAYNE. *Q.* I suppose there was no mark on the fat? *A.* No—the prisoner confessed that it belonged to me.

RICHARD MOSS (*police-constable G* 195.) At a quarter-past ten o'clock at night, on the 3rd of December, I was in Gray's Inn-lane, and saw the prisoner going along with a bundle under his arm, and a jacket thrown loosely over his shoulder—I went a hundred yards after him, and a piece of fat fell from the bundle under his arm—he went on, and some more fat fell from it—I let him go on to Frederick-street, and there I stopped him—I asked him what he had got—he said meat—I said it was a curious way to carry meat, and I should like to see it—I found it was

butchers' fat—he then said he was going to take it home to melt down to make dripping, and he had brought it from the melting-house in Elm-street, where he worked—I asked who his employer was—he said he lived in Red Lion-street, Holborn—I asked if he was allowed to take the fat—he said not so much, but he was allowed to take some—I took him to the station-house, and went to his master, who went to the station-house with me—I then searched the prisoner, and found 15 lbs. of fat in the bundle, and 5¼ lbs. in his hat—he had a blue frock-coat on, and in the breast of it were four new candles and one partly burnt—I searched his lodging at the address he gave me—I there found a saucepan with some fat in it which had been melted down, and a piece of soap.

Cross-examined. *Q.* Did you tell him it would be better for him to tell? *A.* No, nothing of the kind—he was about two hundred yards from Elm-street when I took him—the fat was given up to the prosecutor on account of its impure state.

(The prisoner received a good character.)

GUILTY. Aged 45.—*Recommended to mercy.*—Confined One Month.

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326. CHRISTOPHER SPACHATT was indicted for stealing, on the 14th of December, 5 lbs. weight of beef, value 2*s.* 8*d.*, the goods of Samuel William Mollineux.

SAMUEL WILLIAM MOLLINEUX. I am a butcher, and live in St. George's. On the 14th of December, about four o'clock in the afternoon, I missed a piece of beef—I went out and asked my man about it—he knew nothing about it—I went into the room, put out the candle, and looked over the blind—I saw the prisoner come to my board, put a cloth over a piece of beef, and run away with it—I went out after him—he was stopped by some gentleman—I never lost sight of him—he threw it in the mud, and I picked it up—I took him to the station-house.

EDWARD SIMMONS (*police-constable H* 115.) I took the prisoner, and found this cloth on him, and 2½*d.*—I said, "Have you got the beef?"—he said, "No, I *hove* it down."

Prisoner. I did it for want—I have been twelve months in the House of Correction, and could get no work.

GUILTY.* Aged 16.—Transported for Seven Years—Convict Ship.

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327. HENRY JOHNSON and WILLIAM BROWN were indicted for stealing, on the 14th of December, 24 lbs. weight of soap, value 12*s.*, the goods of Richard Exley; to which Johnson pleaded

GUILTY. Aged 16.

EDWARD MILLS. I am shopman to Mr. Richard Exley, a grocer in Onslow-place, Fulham-road. On the 14th of December, between one and two o'clock, we had eight cakes of soap outside the shop window—I did not see any body outside—I missed the soap—I went out, and took Johnson with it on him—Brown was with him, but he had not got any—they were together after the soap was taken.

EDWARD ANDREWS. I live in Pound-terrace, Chelsea. I saw the two prisoners walking up and down opposite the prosecutor's shop—they went and looked at the plums in the window—Jackson then untied his apron, put it over the soap, and took it—Brown was at the corner on the watch—Johnson went on a little way, and Brown went after him.

Brown's Defence. I was speaking to this lad, and the gentleman took him, and another person took me.

GUILTY. Aged 16.—Both confined Three Months.

328. JAMES HUMPHRIES was indicted for stealing, on the 4th of December, 5 waistcoats, value 2*l.* 3*s.*, and 1 pair of trowsers, value 7*s.*, the goods of William James Stevenson, and another.

BENJAMIN THOMAS. I am in partnership with Mr. William James Stevenson, we live in Middle-row, Holborn. On the 4th of December five waistcoats and one pair of trowsers were taken from the shop-counter—I had seen them safe three minutes before—I received information from our lad—these are ours—(*looking at them.*)

Cross-examined by MR. PAYNE. *Q.* Where were they? *A.* They were folded up, and lying one on another on the counter, about two yards from the door.

JOSEPH ALLEN. I am shopman to Mr. Blisset, who lives in Middle-row, opposite the prosecutor's. I was at the door, brushing the hats, about eight o'clock—I saw the prisoner go into the prosecutor's shop, take up these articles, and come out with them—I crossed, and intercepted him, and in the scuffle, as I seized his arm, these things fell—we fell down together, and there we lay till he was taken.

Cross-examined. *Q.* How far is your shop-door from the prosecutor's? *A.* I can step from our door to the prosecutor's in three strides—there are six lights in the prosecutor's shop, and five in our shop—I am quite sure these things fell from the prisoner—some person picked them up.

THOMAS SPENCER DAVIS. I saw the prisoner going out of the door with these things under his arm.

Cross-examined. *Q.* Where were you? *A.* In the shop—another man came in and took my attention—I saw the prisoner very plainly—he came in once before.

GUILTY. Aged 19.—Confined Six Months.

329. JAMES HARRIS was indicted for stealing, on the 8th of December, 1 pair of trowsers, value 10*s.*; 1 waistcoat, value 5*s.*; and 1 shirt, value 2*s.* 6*d.*; the goods of Joseph Pier, in a vessel, in a certain port of entry and discharge.

JOSEPH PIER. I am a seaman on board the ship *Virginia*, in the London Docks. On the 8th of December, about eight o'clock, the prisoner came on board, while I was washing decks—after he was gone, I went down to the forecastle, and missed my waistcoat, shirt, and pantaloons—these are them—(*looking at them*)—I went on shore after the prisoner—I found him in the street with these things on—I said to him, "You have been on board this morning"—he said, "No"—I wanted to talk to him—he wanted to fight me—the policeman came and took him.

JOHN CULSO. I am a seaman on board the *Virginia*. I saw the prisoner come up from the forecastle—he had got something under his jacket, but I did not see what it was.

JOHN DROVER (*City police-constable, No.* 23.) I saw the prosecutor and the prisoner—the prisoner had these things on him—the prosecutor said they were his—I took the prisoner to the station-house and then to the Compter—they provided him with other things, and took these things from him—he said he had bought them at Liverpool, and denied having

been on board the ship—the prosecutor described the marks on the clothes before he saw them.

Prisoner's Defence. I bought them at Liverpool.

GUILTY.* Aged 25.—Transported for Ten Years.

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330. JOHN HUCKLE was indicted for feloniously breaking and entering the dwelling-house of Robert Brockington on the 2nd of December, and stealing therein 2¼ yards of fustian, value 5*s.*; 1 pair of trowsers, value 5*s.*; and 3 waistcoats, value 10*s.*, his property: and that he had been before convicted of felony.

ROBERT BROCKINGTON. I live in Red Lion-court, in the parish of Christ Church, Spitalfields, and keep a tailor's shop—it is my dwelling-house. I left home on Monday morning, the 2nd of December, at half-past seven o'clock—I left my wife at home—I left this fustian and the articles stated on a show-board in the window—I returned at half-past eight o'clock at night, and these things were gone—I went to Spitalfields station-house and saw the fustian there—this is it—(*examining it*)—it is mine—my wife is not here—part of my window was broken—I do not know who did it.

Prisoner. *Q.* How can you swear the fustian is yours? *A.* I have the piece it came off of in my possession.

JAMES WILLIAM GODDARD. I live in Red Lion-court. On that Monday, about twelve o'clock, I saw the prisoner and another about the prosecutor's window—I watched them—I saw them again at three o'clock, and again just before it got dark—I know the prosecutor's window was safe then—I went out, and as I came back, I saw the prisoner and the other coming out of the court—the prisoner had something in his possession—I went and saw the prosecutor's window was broken—I went after the prisoner and took him—he dropped this fustian—I took it up—he resisted very much—I took him to the station-house—this is the fustian—the other things are not found.

FREDERICK BURK (*police-constable K* 191.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 20.—Of Stealing only.—Transported for Seven Years.

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331. WILLIAM SAUNDERS was indicted for a misdemeanor.

NOT GUILTY.

OLD COURT.—*Wednesday, December* 18*th*, 1839.

Third Jury, before Mr. Sergeant Arabin.

332. JOHN COLLICK was indicted for stealing, on the 10th of December, 1 kettle, value 4*s.*, the goods of William Welsh.

JOSEPH LIGHTFOOT. I am in the employ of William Welsh, a baker, at Brentford. On the 9th of December a copper kettle was stolen out of the yard—I spoke to the police about it—we went to Solomon's shop, and there found the kettle behind the counter—this is it—(*looking at it*)—it was not broken in this way before—it was in daily use—I know nothing of the prisoner.

JOHN SOLOMON. I keep a marine-store shop at Brentford. I bought this kettle of the prisoner—he lives at Brentford with his mother—I have

known him two or three months—the kettle was bruised when he brought it, not as it is now—I took the rim and handle off—I gave 2*s.* 6½*d.* for it as old copper—he is in the habit of buying things of this sort, and selling them to me—the officer called at the house next day, and asked if I had bought such a thing—I said I had.

JOHN HANSTOW. I am a policeman. I went with Lightfoot, and found this kettle behind Solomon's counter.

Prisoner's Defence. Two boys asked me to go and sell it for them, and said they would give me something when I came back—they said they had bought it of a boy for 1*s.* 6*d.*, and I went and sold it for them.

GUILTY. Aged 17.—*Recommended to mercy.*—Confined Three Months

333. JOSEPH LEVY was indicted for embezzlement.

ISAAC CLIFT. I am a patten and clog-maker, in Middlesex-street. The prisoner was my porter—he received money on my account—he should give me the money directly he received it.

WILLIAM WILDEY. I live with Mr. Walter, a pawnbroker. I saw 1*l.* 16*s.* paid to the prisoner by Mr. Walter's young man—he gave a receipt for it.

ISAAC CLIFT *re-examined.* The prisoner never gave me this 1*l.* 16*s.*—he absconded, and I did not see him again till three weeks after—he was in my employ about three weeks.

WILLIAM CARTER. I am a policeman. I apprehended the prisoner—I was looking for him about three weeks—he was out of the way, and I could not find him.

Prisoner. I got into bad company, and got intoxicated—I did not like to go home.

GUILTY. Aged 19.—*Recommended to mercy.*—Confined Three Months

334. ELLEN DONOHUGH was indicted for stealing, on the 5th of December, at St. Botolph without, Aldgate, 1 bag, value 1*d.*; 6 sovereigns and 1 half-sovereign, the property of Joan Donohugh, in her dwelling-house.

JOAN DONOHUGH. I am a widow, and live in Peter's-court, Golden-lane, in the parish of St. Botolph without, Aldgate. The prisoner is my brother-in-law's daughter—she left her place, and I kept her two days—on the 5th of December I sent her to my box (which was in the same room we were in) with the key to get a shift out for me—I thought she was a long time at the box, and told her to lock it, and give me the key—I had six sovereigns and a half in a purse there, which I know were all safe that evening—the prisoner left me on Friday about four o'clock, and on the Sunday following, between eight and nine o'clock, I missed my money—I went to Greenwich, where she had told me she was going, to her cousin's and found her at a public-house—I asked how she came to rob me—she said she had not robbed me, and knew nothing about it or the box—I said, "You can't say that, you went to my box"—the purse which my money was kept in was found in her bosom, and four sovereigns in it—this is my purse—(*looking at it.*)

MARY WALKER. I live at the station-house, and search the female prisoners. The prisoner was brought there on Sunday week—I found this purse in her bosom with the money in it—she said she had found it.

JOHN MASON STEVENSON. I am a policeman. The prisoner was given into my custody—I asked if she had any money—she said she had none, and knew nothing about it.

Prisoner's Defence. I did not take the money out of her box—I could not have done so without her seeing me—she was standing opposite to me all the while.

GUILTY. Aged 20.—Confined Six Months.

Before Mr. Justice Patteson.

335. JAMES CARDWELL was indicted for stealing, on the 9th of October, at St. Marylebone, 1 cash-box, value 10*s.*; 9 sovereigns, 8 half-sovereigns, 2 100*l.* Bank-notes, 10 50*l.* Bank-notes, 5 20*l.* Bank-notes, 12 10*l.* Bank-notes, and 1 bill of exchange, value 227*l.* 8*s.*; the property of Henry Edward Porter, his master, in his dwelling-house.

MESSRS. CLARKSON *and* CHAMBERS *conducted the Prosecution.*

HENRY EDWARD PORTER. I was twenty-three years old on the 6th of this month—I am a butcher, and carry on business at No. 2, New Quebec-street, Portman-square, in the parish of St. Marylebone—I have carried it on on my own account ever since I was twenty-one years of age—my grandfather, Edward Porter, my aunt, Mrs. Brader, and my uncle William Brader, reside in the house with me—my aunt assists me in the management of the business, and attends to the shop—my grandfather has nothing to do with the business—Mr. Brader is a finisher at Broadwood's, the piano-forte manufacturers—he has nothing to do with my business—the prisoner has been in my service about eleven months—he slept in the house, in the back attic—my aunt and Mr. Brader slept in the front-room, second floor—the attic is on the third floor. On Wednesday, the 9th of October, I had a cash-box, in which I kept my money—it was usually kept in the closet of my aunt's room, on the second floor—I had seen it on the Sunday previous, and the money in it, on my aunt's table—I did not count what money there was in it then—there was a bill drawn on Mr. Fitzgerald for 227*l.* 8*s.* and accepted by him—there was also a 100*l.* and a 50*l.* note received of Mr. Wilkinson, of Park-street—Mr. Fitzgerald and Mr. Wilkinson are customers of mine, and these sums had been received on account of meat supplied to them—there was also a 100*l.* note received from Mrs. Napier, of Green-street—we had given her change for that, it was not for meat—there was about 1170*l.* in the cash-box, including the bill—it was the prisoner's habit to go out on the Wednesday—he was allowed to go out from five o'clock in the evening till ten, provided business was over—he generally dressed himself before he went out—he dressed in the back attic—in coming down stairs to go out he would pass my aunt's bed-room door—I was at home on Wednesday, the 9th, I do not recollect seeing the prisoner since the afternoon part, about four o'clock—he returned about ten that night—I was at home when the money was missed—it was missed about nine o'clock—I went up stairs to my aunt's room after my aunt found the door open—I have seen some of the notes which I have mentioned, since.

Cross-examined by MR. SERGEANT BOMPAS. *Q.* You yourself have carried on business since you became of age? *A.* Yes—my father died about seventeen years since—I have only one brother—he has assisted me in the business—his name is Charles—he sleeps with me—this cash-box was never kept in my room—there is a cash-box kept in my room—a very old one indeed, which is kept merely for loose change—that has never been under any care but my own—it was a dressing-case, but we converted it into a cash-box—it is a tin one—it has been used as a cash-box about eleven years—my grandfather had charge of it till I became of age, in his room,

and then I took possession of my grandfather's room—I cannot exactly say when the new cash-box was first obtained, but it was bought at Wright's, in Oxford-street—I should think I had had it about a year—I have the key of it—it is in our possession—it is a common key, and it is a common box—I believe my father died in debt—I believe those debts have been paid, but I was only 8 years old when he died, and do not know any thing about it of my own knowledge—I received the 100*l.* and 50*l.* notes from Mr. Wilkinson on the 24th of August—the 50*l.* note was in change, not on account of meat—we gave change for the 50*l.* at the same time we received the 100*l.*—I did not receive it, my aunt did in my presence, in the parlour—I was not present when the 100*l.* note was received from Mrs. Napier—I do not recollect the circumstance—that was received before I came of age, and was given up to me at that time—I had paid away a 100*l.* note about three weeks before the robbery, to Mrs. Philpot, of Forty-farm, Harrow—that is the only one I recollect paying away—I do not recollect any other being paid—I have not paid away any 50*l.* notes latterly—I do not recollect doing so—I was not at home the whole evening when this took place—I returned home about eight o'clock—I had gone out about seven o'clock on business—I have money in the Bank of England—I had some there before I came of age—there is 400*l.* in my name there—I have a cash account there—it has not increased since I came of age—I have not taken any out since I came of age—I cannot exactly say what sum of money I had in my second cash-box on the evening in question, but I think about 40*l.*—it consisted of notes and gold, fives and tens.

Q. What did you mean by saying just now it was for small change, when you had 5*l.* and 10*l.* notes ands overeigns there? *A.* The box my aunt had possession of was, if we had more money than we wanted, we used to put it away, if we could spare it, from the other box—I mean by small change 5*l.* and 10*l.* notes—there were thirteen sovereigns in the box my aunt had—the 40*l.* in the other cash-box was money which had come in in the course of a few days—as the money came in we used to take it out to go to market with—it did not remain there long—I cannot tell how much there was in that box the Wednesday week before, it was all gone at market—I kept no account of what I had in either of the boxes—I had no other cash account except at the Bank.

COURT. *Q.* Do we understand your cash account to be one you might draw upon at any time? *A.* No, it was not.

MR. SERGEANT BOMPAS. *Q.* Is it invested in any way, or is it in cash? *A.* It was put in the funds by my grandfather—it is money in the funds, not a cash account—I had no cash in the Bank of England—my uncle had no cash account, that I know of—he had no cash-box, that I know of, only the one I gave to his charge—the cash-box that is lost was bought in Oxford-street about a year ago—I cannot speak to the time exactly—there was no other cash-box before that but the one I have—for a twelvemonth after I came of age, the only cash-box kept was the one I have in my room—all the money was then kept in that cash-box in my room, under my own charge—my brother slept with me at that time.

Q. What was the reason of the money being taken out of your custody, and given to your aunt? *A.* I had been rather neglectful in leaving the keys about, and the servant brought them down once or twice

to my aunt, and so I gave it her to take care of—that is about twelve months ago from this time—somewhere about last December—I was present when one of the 50*l.* notes was received of Mr. Younger, of Albion-street—I think that is about nine months since from the present time—I do not know of any other which I can exactly state—there were some more in the box, but I cannot tell who they were received from—I will not swear I have not paid away a 50*l.* note within the last six months—I have no recollection of paying away more than one 100*l.* note within the last twelve months—I have no recollection of it at all—I have not done so that I recollect—we keep no account of what we pay away, or what we receive.

Q. Do I understand you cannot tell how many 50*l.* notes you have paid away, or whether you have paid away any within the last six or twelve months? *A.* I have no doubt we did; because, provided we take a 50*l.* note to-day, we may take it to market to-morrow morning—I should say I have paid away two or three 50*l.* notes within six months—I cannot tell when or to whom—I paid them away at market—we buy of one and another at market wherever we can buy best—I have no regular person of whom I buy—we had no banker, therefore we kept no account—I can give no account of how many 50*l.* notes I have paid away, nor of any other notes whatever—I have stated, as far as I can recollect, all the 100*l.* and 50*l.* notes I have received—I have been present at the receipt of two 50*l.* notes, and one 100*l.* note—I came home on the night in question about eight o'clock—my uncle and aunt were at home when I came home—I think my uncle was up stairs—if my uncle goes up stairs he takes the key of the room—the key of the cupboard is sometimes left in the room hanging up, at other times he brings it down—I do not think he ever leaves it in the cupboard—I do not know whether he does or not, it is only his own room door of which he brings down the key—he never fails to do that—he had the key in his pocket when I came in on the night in question—I saw him produce it about nine o'clock, when my aunt had come down—I have not said that the robbery must have taken place after a quarter-past eight o'clock—I could not have said that—I have not said so to any body that I recollect—the circumstance of the door being found open led us to believe some person had been committing the robbery then—I may probably have said the robbery took place between eight and nine o'clock—after a short time we were led to believe it was so, in consequence of finding the door open—I did not say it must have taken place after eight o'clock—I am sure I did not—I cannot swear so—I said I thought it must have taken place after my uncle came down and before my aunt went up, between eight and nine o'clock, in consequence of finding the door open—I always added the words, "in consequence of the door being found open"—I never said the robbery must have been committed between eight and nine o'clock, without adding as a reason that the door was found open, or words to that effect—I never said the cash-box was safe between eight and nine o'clock, nor any words to that effect—I know Mr. Glenister, he is a butcher—I never said so to him—I was led to suppose it was safe, that is all I know—I have no recollection of saying to him that it was safe between eight and nine o'clock—I could not say that it was safe, for I had not seen it after the Sunday—I did not say so, nor any words to that effect that I have any recollection of at all—I will not swear it, because I know nothing about it—I do not recollect any thing about it at all.

Court. *Q.* Do you mean you do not recollect having any conversation

with Mr. Glenister on the subject? *A.* I have had conversation, but I do not recollect saying that—I cannot be positive whether I did say it or not, there were so many inquiries.

MR. SERGEANT BOMPAS. *Q.* Do I understand you might have said so, but do not recollect it? *A.* I have no recollection of it—I do not know whether I may have said so and forgotten it—I had a little conversation with Mr. Glenister about it—I merely named the circumstance, I believe that was all—I deal with Mr. Glenister a little now—we have been in the habit of dealing with him I believe for twenty years—my father dealt with him, I believe—I have dealt with him ever since I was of age, and my aunt before me, but before we did not kill our own beasts, which we do now, which makes a great difference—we leave off killing beef during the summer—we have began to kill again, about six months—we deal with him more in the summer—we killed our beef last winter—that has been our course for three years with beef—we kill our mutton, at all times—I have no recollection of saying to any body that the cash-box was safe between eight and nine o'clock—I could not say so, because I never saw the box, and could not swear it was safe—I did not say it was safe—I do not mean to swear that I did not say so, but I cannot recollect it—I said we were led to suppose so in consequence of finding the door open—I used the terms "In consequence of finding the door open"—I have no recollection of saying it was safe between eight and nine o'clock in the presence of my shopman in my house—I might have said I supposed it was safe—I never said that my uncle had seen it at a quarter-past eight o'clock—I have said in a joke that the salesmen must make an allowance of a halfpenny in the pound on our meat for the loss—I never said that my fortune was made by the loss, or a loss, nor has my aunt in my presence—this excited a good deal of interest—it did not increase my custom that I know of—I was lost myself when a child—me and my brother, my aunt and uncle, my grandfather, the boy John Keys, the other man and the maid servant were in the house at the time the box was lost—the female servant has gone away—we found some duplicates of stolen goods in her possession—Mr. Codd, the Magistrate, discharged her, saying we might prefer an inictment if we pleased—some stolen things were also found in her box—that box was not kept at our house, but down at Westminster.

MR. CLARKSON. *Q.* Is that female servant named Inwood? *A.* Yes—she was apprehended and taken before the Magistrate on this charge—she was discharged, there being no evidence against her—a table-cloth was found in her box—nothing else was traced belonging to me or my family—she was taken with a soldier in the Guards, and detained some time in custody—we only kill two oxen a-week—we buy all the rest dead—the meat we buy in a week varies according to the season—the average is about sixty sheep, about four beasts, and about five calves—our business is extensive at the west end of the town—our book debts are about 1600*l.* at present—we supply persons of rank and station in the neighbourhood—I am sure I did not pay away the 100*l.* note I received of Mrs. Napier, or the 100*l.* and 50*l.* notes received from Mr. Wilkinson—Mr. Wilkinson is not here, nor his steward—he has been very ill—Mrs. Napier's butler is here, and Mr. Fitzpatrick's steward—I cannot speak correctly to the time I bought the cash-box, but Wright's man is here who served it—I do not know when my grandfather invested the 400*l.* in

the funds—I did not invest it myself—my brother has had the interest of it up to the present time—it was invested in three names, 400*l.* each, William, who is dead, Charles, and myself—my grandfather is seventy-six years old—he is here, I believe—the 100*l.* note I paid away to Mrs. Philpot was for sheep—Mr. Teuton is Mr. Wilkinson's steward—I heard from him two or three days ago—he is very ill, I believe, at Leamington—I have not directed my attorney to subpœna him—he is not subpœnaed—we deal with different persons at market, as we can get it best—we generally buy sheep of Burrell, a salesman—I do not buy the beast myself—we employ a man to do the best for us—in the dead market we buy of Hutton, Windsor, Lacy, Lee, and a variety of others—the average of our return in business for the last three years has been about 10,000*l.* a-year—my aunt and uncle have always lived with me since I can recollect, and my grandfather since he has left off business—he is a carpenter and builder—he has been out of business about eleven years—he has enough to keep him.

Q. You have been asked as to observations made to Glenister and others, have people come from time to time to the shop to make inquiry? *A.* Yes—some strangers, and some friends, and their object not explained to me—I can form no conclusion when the robbery was committed, except from finding the door open—I did not see the prisoner go away that evening—Mr. Glenister is a carcass butcher—he sells to me in the dead market—I do not buy sheep of him, only beef and veal, in the hot weather—the gentleman who gave me the bill of exchange I do between 200*l.* and 300*l.* a year with—he is generally in town six months in the year, and my bill is that amount in that period, and has been so for nearly twenty years—I have assisted in the business about eight or ten years—my business with Mrs. Napier is about 70*l.* a year—my brother Charles is not in partnership with me—Mr. Fitzgerald is a private gentleman in Portland-place—I have another customer in Portland-place, Sir Frederick Watson, and other customers in Park-crescent, and all about there—several members of Parliament deal with me—I serve all the Phillips' family, eight or ten of them—the Earl of Mulgrave, Mr. Mirehouse, of Seymour-street, occasionally—Sir George Phillips, Lady Nelson, Lady Waterpark, and the Cavendish's—it is my business to go to market.

Mary Ann Brader. I am the wife of William Brader—he is in the employ of Messrs. Broadwood, the piano-forte makers, and has been so about twenty-seven years—Henry Porter is my nephew—I have another nephew named Charles, and had one named William, who is dead—I have always lived with Henry Porter, at No. 2, Quebec-street, and my husband with me—my name was Porter before I married—my brother has been dead about eighteen or nineteen years—my nephews were mere children at that time—my brother had been very unfortunate in business—the business of a butcher was still carried on in Quebec-street after his death—he left a widow, who has been dead twelve years—after the death of my brother I assisted in supporting and protecting my nephews, and after the death of their mother I took on myself the whole management of them—they had no friends to look to but myself and husband, and the grandfather.

Q. Who carried on the business during the minority of Henry Edward from the time of your brother's death till he became of age? *A.* A young man who served his time to my brother was placed as foreman with us—he

lived with us eighteen years—I managed the business, and solicited the customers on their behalf—I kept the books, and supported the children—Henry assisted as early as we could take him away from school, which was about the age of thirteen or fourteen, I believe—he assisted me in the business till he became of age—I had at that time saved some of the profits of the business for him—we had 300*l.* or 400*l.* in the Bank—we intended 400*l.* for each boy—the money went through my hands until Henry came of age, and then my father had the charge of it—it was then between him and me—previous to his coming of age three sums of 400*l.* had been invested in the Bank for the children, and when he came of age 500*l.* in cash was handed over to him—he always went to market, and had done previous to that—I continued to do much the same in the business till now—I kept the books with his assistance—I generally received the money—any large money I generally took up to the cash-box, but small sums we kept in another box—he always had an opportunity of inspecting the books, and seeing what the receipts were from day to day—the cash-box was kept in a closet in my bed-room, the front room second floor—I used to keep the money that was accumulating during the minority of the boys in the back room where my father used to sleep at that time—we kept it there some time after Henry came of age, but it was Henry's wish that I should take it up stairs as he used to leave his keys about—once or twice the servant found them in the bed-room, and he wished me to take it up stairs, which I did—it was then kept in a closet in the second floor front room, where I slept—I remember the cash-box being purchased—the closet was always locked—I think it is a common lock—I used to make the bed in my room myself every morning—not before breakfast—I used to go up afterwards—I always locked the door of that room and brought the key down—I sometimes have hung the key of the closet up in the bed-room—at other times I have brought it down stairs in my pocket, but the room-door was always kept locked—about a fortnight before the robbery, there was in that cash-box, including the bill of 227*l.* 8*s.*, 1170*l.*—that bill is not due till next January—there were two 100*l.* notes, ten 50*l.* notes, four 20*l.* notes, and I think about twelve 10*l.* notes, and 13*l.* in sovereigns and half-sovereigns—I had seen the cash-box between the time of the loss and that fortnight—it used to be kept behind some bottles in the closet—there were a great many wine bottles in the closet—it was kept at the back part in a curve in the closet—some leathers were generally thrown over it in the corner—I had counted the money a fortnight before—Tuesday, the 8th, was the last time I saw the box—that was the day before the robbery—I had not occasion to go to it on the 8th—I saw it in the closet—I opened it on the Sunday night previous—my nephew was present—I only went to take out two 10*l.* notes for Henry—I am sure the property in the box was not disturbed then—I took the two 10*l.* notes out—the money laid as I had left it—I did not take it out to examine it—I had the key of the cash-box on the Sunday night and also on the Wednesday night—besides that box, we have a common tin box in the back room first floor, without a cover, in which a little loose money is kept, but not to any amount—I cannot exactly tell what money we were in the habit of taking daily—some days we took 70*l.*, other days not 7*l.*—it depends on the bills being paid—I cannot exactly say what money was in the tin box on the Wednesday when the cash-box was lost—I do not know—Henry and his brother slept in the back room—the prisoner was in my nephew's service—I am not aware that he knew

we kept a cash-box in the closet—it had never been produced to him that I know of—he went out every Wednesday and the other journeyman on Thursday—he received 16*s.* a-week—I had no account of the numbers or dates of the Bank-notes in the cash-box—I always put my initials to notes when I take them—the bill was received from Mr. Warren, Mr. Fitzgerald's steward—Mr. Wilkinson and Mrs. Napier were customers of ours—(*looking at three notes*)—this is my writing—these have all my signature at the back—I can undertake to say all these three notes have been in my possession—this 100*l.* note I received from Mrs. Napier's butler—I do not know his name—Mrs. Napier then lived in Portman-street—she now lives in Green-street—this "R. Napier, 15, Portman-street, Nov. 23, 1837. E. P." on the note is my writing—that was the time my father had the management of the business, and I put E. P., because his name is Edward—Nov. 23rd is the day I took it of Mrs. Napier's butler—my nephew became of age two years ago, on the 6th of this month—I am sure that note was safe in the box when I went to it on the Sunday night before the Wednesday—on this other 100*l.* note here is my writing "R. Wilkinson, Esq., Park-street, August 24, 1839. H. E. P."—I made the distinction of Park-street, because we serve two Wilkinson's—I put "H. E. P." on it because the business was then in his name—Mr. Wilkinson is one of our customers—last season was the first season we ever served him—that 100*l.* note was safe in the cash-box on Sunday night—I took it in payment of an account of 85*l.*—this 50*l.* note I gave the butler, Mr. Teuton, change for—that was on the same occasion as when he paid the bill on Saturday evening—I have written the same on this note—I am certain it was in the cash-box on the Sunday evening preceding the robbery—it had not been paid away—I have never had but one more 100*l.* note since Henry became of age, and I have brought a memorandum of the lady I paid that to—it is in my own writing—I paid it to Mrs. Philpot, a farmer's wife, at Wilsden Forty-farm, for sheep—I took the number of it at the time I paid it—it is "52232," dated "10th of January, 1838"—I took that memorandum the day Henry went to pay Mrs. Philpot—I did not pay it to her myself—I had seen all these three notes a fortnight before the robbery—we generally supped at eight o'clock—my nephew's business is a very good one—it has improved very much of late years—I may take a good deal of that credit to myself.

Q. How were you alarmed on the night in question? *A.* I had occasion to go up to the next room to my bed-room, and saw my door open—that was a little after nine o'clock—I had been up stairs all the afternoon in my room—I went to empty a press and replace the things—I had been going up and down to that room up to five o'clock and a little after—on finding the door open I came down stairs and said to my husband, "William, how came you to leave the door open?"—from the answer I got from my husband I became alarmed—he went up stairs first and I followed him—I went into the bed-room—he went to the closet, unlocked it, and found the box was gone—he had the closet key in his pocket—when he comes home of a night I generally give him up all the keys—he is absent on his employers' business the greater part of the day—I saw him produce the key from his pocket and open the door with it—I think the closet-door was locked at that time—I was behind him when he opened it, and the box was gone—from that time to this I have never seen any of the contents of the box except the three notes produced, nor have I seen the box itself—there was no appearance of violence to the door of the closet, nor did I see any on the door of the room—the prisoner was

out at the time we made the discovery, I had not seen him go out—he came home a little after ten o'clock, I think—I communicated with the police and inspector Tedman came to our house between ten and eleven o'clock—I think it was nearly eleven o'clock—he examined the cupboard and room—we had a female servant named Inwood—it was her business to clean my bed-room every Friday—in consequence of finding a duplicate of a table-cloth belonging to me upon her she was given into custody—a soldier was also taken into custody—up to this time I had not the least suspicion of the prisoner—the cash-box was a flat japanned one, with a gilt border and brass handle—I do not recollect whether the handle was round or square—I did not buy it myself—I should think we had had it nearly two years.

Cross-examined by MR. DOANE. *Q.* You say you had the care of these three young men when they lost their father and mother; were you then living in Quebec-street? *A.* Not at the time the mother died—I came there afterwards—I have resided there about twelve years—my father took the house—the grandfather of the prosecutor—there was no lease at that time—there has been one lately—I cannot tell how lately—it was before Henry became of age—I cannot say how long before—there has been no lease since he became of age—it was my father's house in my brother's life-time—it is not my father's now—he has turned the house over to Henry—that was in writing.

COURT. *Q.* Was there any lease in writing made to your father? *A.* Yes.

MR. DOANE. *Q.* You have said there were three sons, having 400*l.* each; who invested those sums? *A.* My father did for the three nephews—that money came from the profits of the business—I cannot exactly say in how many years that profit had accrued—it was invested at various times—I cannot tell the year we began to invest it unless I had the papers—it had been put in, a share to each, by little and little—we ceased to invest any about two years ago—I cannot tell when we began—it is near ten years ago—I do not think it is so much as ten years—rather less than that—my father did it, and I did not trouble myself—I should think it is about eight years ago—in addition to the 1200*l.* stock, there was 500*l.* in cash on Henry's majority—that was from the profits of the business during the eight or ten years—the 500*l.* was handed over solely to Henry—Charles has no share in the business, nor have I or my husband—I live in the house, but have no share in the profits, nor has Charles—he has the interest of the 1200*l.* which was invested for the three—the business has not particularly improved since Henry's majority—he has not invested any money since he became of age, nor have I for him—I was not in the habit of looking at each note every time I went to the cash-box.

Q. How do you remember, the fortnight before, looking at the contents of the box? *A.* Because I counted it over—I had not any doubt of it being right, but I counted it over—the closet was locked as usual, and the box was locked—there was no suspicious circumstance—I sometimes put money into the tin box, where the small sums were kept, and sometimes Henry did, when he took the money from the drawer of a night he would take it up into that room—there might, in the course of an evening, be two 5*l.* notes, and some sovereigns paid in that would go up there—I cannot say how much more there might be—I dare say I saw that tin box every

other day, if I went to the drawer—the drawer was kept locked, but not the door of that room—Henry goes to market so frequently, the money is generally taken out, perhaps every other morning, and if he required more I went up to the other box—I do not know how much there was in the tin box three or four days before the loss—when I wanted a small sum I went to the tin box—on the Sunday I went to the cash-box for two 10*l.* notes for Henry—he had got sufficient, with the exception of the two 10*l.* notes to take to market—I did not go to the tin box that Sunday—I cannot say whether I saw any money in it between the Sunday and Wednesday—I do not know that there was 40*l.* in it—there might or might not be—there is often that amount in it—I do not recollect whether I saw that box between the Sunday and Wednesday—Henry generally takes up the money taken at night in the shop with him, or I might take it up—I cannot recollect.

Q. Was the maid-servant in the house at the time you found the bed-room door open? *A.* Yes—I had been up and down in the room next my bed-room that day, and on the landing at the press—my bed-room door was open while I was up and down—I went in and out—I locked the door when I came down to tea—that was past five o'clock—I have never said that the cash-box was safe at a quarter-past eight o'clock—I do not recollect any such thing—I can swear that I never said I saw the box, nor did I say it was safe at a quarter-past eight o'clock—I know Birt, of Quebec-street, he is a milkman—I have no recollection of ever saying the box was safe at a quarter-past eight o'clock—I might have said the door was safely locked—I should not think I could have said the box was safe and forgotten it.

Q. Will you swear you did not tell Birt so? *A.* I will not swear any thing, because I have no recollection of it—I will decline swearing it—I will not swear any thing of the sort; because I do not recollect it.

Court. *Q.* Have you a sufficient recollection of any conversation with him, to be able to say whether you did or not say so? *A.* I do not recollect any conversation of this sort—I might have had some conversation with him, people coming into the shop——

Mr. Doane. *Q.* Did you have conversation with him? *A.* He is so frequently in the shop, I often talk to him—I might have talked to him on the subject of the robbery—I have no doubt I might—I dare say I did—I talk to people who come into the shop—I have no doubt I talked to Birt about it—I will not swear I did not tell him the cash-box was safe at a quarter past eight o'clock—I have no recollection of it—I know George Garley, he is our shopman.

Q. Did you say to him that it could not be the prisoner, for *it* was safe, meaning the box, after he went out? *A.* No, I have no recollection of it—I do not recollect any thing of the sort being said to George—I will not swear I did not say it—I do not recollect any thing of the sort.

Mr. Clarkson. *Q.* Had you any means of knowing or forming any opinion whether the box was safe at half-past eight o'clock, or at any time, except from the circumstance of your finding the door open? *A.* No, I never went to the closet that day—I should not suppose we owed 100*l.* at the time of the robbery.

William Brader. I married the prosecutor's aunt—I am a piano-forte maker, in the employ of Broadwood and Sons, and have been so twenty-eight years—I have resided in the house in Quebec-street ten or twelve years, where the prosecutor carries on business—I am what they

term a finisher at Messrs. Broadwood—I go to work about ten minutes after eight o'clock, and return about seven o'clock in the evening—I recollect returning on the evening of the 9th of October, at seven o'clock—about ten minutes after seven o'clock, I went up to my bed-room—I found the door locked—I received the key from my wife—I remained in the bed-room nearly an hour—I had occasion during that time to unlock the closet-door—I got the key of it from my wife—I did not make any observation at the time with respect to the cash-box—it was usually kept behind some bottles on the bottom shelf—I went down stairs from the bed-room at the usual time, about ten minutes after eight o'clock—I am quite certain I locked the door when I went down—I also locked the cupboard-door, and took the keys of the cupboard and bed-room doors down stairs with me—my wife went up stairs a little after nine o'clock—she returned, and told me something, and I went up stairs, and found the bed-room door open—I examined the closet-door—it was fast—I opened it with the key—I instantly looked at the place where the cash-box was usually kept, and it was not there—the wash-leather which usually covered it was left there—the loss was made known to the police—I have not any connexion with the business—I am paid by Messrs. Broadwood according to the work I do—I earn from 2*l.* to 3*l.* a week—on Friday the 18th, a short time after the robbery, I went to Chubb's, in St. Paul's Churchyard, to purchase a Chubb's lock for the cupboard—that was in consequence of a conversation between Forrester, the officer, and me—I saw Mr. Davis, Mr Chubb's foreman, and on the following day some of Mr. Chubb's men went to High-street police-office—Pierce, I know was there.

Cross-examined by MR. BODKIN. *Q.* You were a considerable time in your bed-room? *A.* Yes, about an hour—I went to the closet for a bottle—I dressed myself in my bed-room—the prisoner had been ten or eleven months in the prosecutor's service.

WILLIAM CLARK. I am shopman to Wright and Co., ironmongers, 253, Oxford-street. I have referred to our books to ascertain the time at which Mr. Porter purchased a cash-box at our house—it was on the 7th of December, 1837—I have the book here—I could not describe the box minutely—it was a tin one japanned—I cannot recollect whether it had any thing round the edge—I do not recollect the handle—it was charged eleven shillings—it was not paid for—I sold it myself, and made the entry in the book.

EDWARD PORTER. I am the prosecutor's grandfather, and live in the house with him.

CHARLES PORTER. I am the prosecutor's younger brother. I slept with him in his room in October last—I have lived in the house with him nearly twenty-two years—I am twenty-two years old next February—we always lived together.

Cross-examined by MR. BODKIN. *Q.* Were you at home the day this happened? *A.* Yes, in the evening—I am not paid wages exactly—I receive some small sum half-yearly—there have never been any complaints of my being addicted to keeping late hours—I am always in by ten o'clock, if not before, and am always sober.

WILLIAM PIERCE. I am in the service of Mr. Chubb, a patent lock-maker in St. Paul's Church-yard, and was so in October last. I have an acquaintance named Britton—he was with me in my master's shop on Wednesday evening, the 9th of October—he came about half-past six o'clock.

Q. Look at the prisoner—did he come to your master's shop that Wednesday night? *A.* Yes, he did, between half-past six and seven o'clock, I think—he came in hastily, and brought a cash-box with him—he placed it on the counter, and said he wanted a key to fit it—I said we had no key that would fit it, for we never made two locks alike—at this the person who brought the box seemed surprised to think we had no key to fit it.

Q. You say "the person who brought the box," have you any doubt about this being the man? *A.* I have no doubt whatever, but I did not know I was justified in saying "the prisoner"—I have no doubt of him at all—I told him we never made two locks alike—he seemed surprised, and asked me what was to be done—I told him there was no alternative but to break the box open, and that I told him I could do if he pleased—I then asked him if he was the owner of the box—he said no, he was not, but told me the owner—the name I quite forget, but I think he mentioned the place in or near Judd-street, as where he came from—he then gave me the box, and desired me to open it—I said I could not open it unless I had a note from the owner of the box—he told me he had come some distance with it, and that some person was waiting until he returned, and it would put him to very great inconvenience, in consequence of his going back—these were not his precise words, but to that effect—I said I certainly could not open the box—what I had been saying to him put him a little out of temper, and I said perhaps we had a little more discernment in these matters, and I should not be justified in opening it without the owner—he then gave me the box, and asked me to take care of it until he returned—I took the box a distance of three or four yards, to place it in our fire-proof safe, to let him see it would be secure, and just as I was placing it in the safe he said no, he would take the box with him—I brought it back, and gave it to him, and he took it away—I did not notice the box particularly—I think I should know the size of it—it was about ten inches by five, or between five and six—I think it was wider than five inches—it was black japanned, and a gilt margin round the edge of it—I have brought a handle precisely of the description which I thought the handle was, and which I know it to be—(*producing a common brass handle*)—I cannot say whether it was a common lock, or whether it was our manufacture or not—I rather think something passed about a *cab*—I am not positive, but I think he said he had come in a *cab*—I do not think there was any appearance about his person as if he had been walking quick—Mr. Britton was sitting in a chair close by the door—I should say no one could possibly open the door without seeing Mr. Britton—I was afterwards sent for to High-street, Marylebone—before I was sent for there I had the dress of the person who came in my recollection—I called it to my memory within half-an-hour before I was called to appear at Marylebone—I cannot positively say what waistcoat he had, but he had a black body coat on, with a black satin long-ended stock with a union pin in it, that is, two pins chained together by a short chain—I described the person who came to Inspector Tedman in the waiting-room—at that time I had no knowledge whatever that a satin stock or union pin had been found in the prisoner's box—I did not notice his hair at the time he came—I remarked his appearance in the face—he was high cheek-boned, and rather flushed at the top of the cheek-bone—his hair was curled at the side, and was very dark—I afterwards saw a man named Dixon produced at the police-office—he was certainly not the man who came—there was

no resemblance of the man in him—the prisoner was not in custody when I gave the description to the inspector—he was sent for while I waited—when he came into the Magistrate's room he was dressed in a butcher's dress—he was called to the witness-box, and while giving his evidence the sitting Magistrate called on me to look at him, to see if he was any thing like the man who came to the shop—I said I believed him to be the man then—I felt fully satisfied he was the man then, but felt very tenacious of swearing to him in consequence of having his working-dress on—I was examined on the subject—the prisoner, upon that occasion, was allowed to go away on some recognizance—I mentioned Mr. Britton having been with me on that occasion—he was not before the Magistrate then—I went to the office again on the following Saturday—the prisoner was in attendance—he then came dressed, I think in a suit of black—when I saw him then I had no doubt he was the man—the Magistrate had on the first occasion desired him to appear at the next examination in his Sunday-clothes—(*looking at a stock*)—I did not think the stock he had on had any blue flowers on it, but still it is possible, from the position in which the prisoner stood at the time, (he stood before me,) that the stock might have had flowers on without my being able to discover them—it was by gas light.

Q. Look at the prisoner once again; on the oath you have taken, have you any doubt whatever that that is the man? *A.* I am still of the same opinion, and have been so all along—I have no doubt he is the man who came to St. Paul's Churchyard on Wednesday, the 9th of October.

Cross-examined by MR. SERGEANT BOMPAS. *Q.* What position was he in that you could not see the blue flowers? *A.* The situation he was in was close before me, and the gas light was close against him, which was I suppose six or nine inches above his face, so that the brim of his hat would certainly shade his front—I do not know that it would shade his neck-handkerchief more than his face—it is possible it might hide the flowers.

Q. How is it possible it would hide the stock more than his face? *A.* From the position he stood in while conversing with him he would certainly alter the position of his head many times, by which I can swear to his face—I do not mean he did not alter the position of his body, but I should certainly take more notice of his face than his stock—I do not swear to the stock—I swore to its being a black satin stock before this was produced to me—I have my doubts whether this is the stock—my belief certainly was that it was a plain black satin stock with a gold union pin—there are not thousands of union pins to be seen in the streets in London—I did not notice any thing particular in the pin to be able to swear to it—I do not say it was a common one—it was fashionable—I did not make a memorandum of this circumstance at the time—I made one on Saturday the 19th, when I was called on.

Q. What makes you swear it was Wednesday, and not Tuesday? *A.* Because I have several circumstances that perfectly satisfy me on the subject—I cannot swear no person came to have a cash-box opened within a week before, or within three or four days of the time—we do not frequently have people come to have boxes opened—sometimes we have, to have our boxes opened and others also—we have had some brought since to be opened—I can swear we had not any brought to be opened on the Thursday or Friday in the same week—I can say so from the manner in which I can account for my engagements on the various days between Wednesday and Saturday—I was not all the time in the shop—I was of an evening possibly from

five to seven o'clock—had a cash-box been brought to me to be opened within those days I certainly should have called it to memory when this circumstance was brought to light within a few days—I mean to say that I had no box brought to me—I cannot account for my engagements on the Monday and Tuesday before the Wednesday, because this occurrence has led me most minutely to examine into the circumstance of these two or three days, and nothing has led me to look back further—I cannot swear I was not in the shop between five and seven o'clock on Thursday—I have not had occasion to consider what I had been doing on the Monday and Tuesday before—my attention has not been directed to it—my attention was directed to the Monday and Tuesday before the Wednesday before the Magistrate—at the time the question was put to me I had an opportunity of thinking whether I had or not, but at the present moment I have not had an opportunity of referring to my own mind to bring it to my recollection—I could refer back to the time then, and I can now if sufficient time is given me to consider—I could not at any time tell whether any boxes were brought to be opened on Monday or Tuesday.

Q. The name of Dixon has been put to you; will you venture to swear he did not bring a box to have it opened? *A.* No—I will not swear that he never came to have a box opened—I will swear he did not that week—I mean the week after the Wednesday—I will not swear, but to the best of my recollection, he did not come on the Monday or Tuesday, and I will swear most positively that he did not come on Thursday, Friday, or Saturday—I was in the shop part of Thursday, Friday, and Saturday—my engagements call me out in the course of the day—I was there all Thursday evening until eight o'clock—I cannot say whether I was there from four to nine o'clock—we leave at eight o'clock—I was there between five and eight o'clock—most likely I was there between seven and eight o'clock, but I will not swear positively—I will not swear I was there between five and six o'clock—I think I dare swear positively I was there between seven and eight o'clock—I think I was there between five and six o'clock, but I will not swear—I will not swear positively to between six and seven o'clock—I swear positively I was there between five and eight o'clock—I was certainly there some hours between five and eight o'clock—I can say the same of Friday—I cannot say positively I was there until eight o'clock on the Friday, for I was very poorly on the latter part of Friday, and do not know whether I went home earlier than common—on Thursday I was tolerably well—I was not at all poorly to my recollection—I should be justified in saying so positively, perhaps; but I was in such good health as not to notice that I was at all poorly—the box was offered to me on Wednesday—I took it into my hand—boxes of Chubb's manufacture have always been marked during the time I have been in the employ—I was asked for a key to fit it, not for a key to be made to fit it, but to open it—the question was for a key to open it—it might possibly be to fit a key to it—it was in my hand from one to two minutes, while walking three or four yards and turning back again—I said we never had but one key to a lock—that I could not open it, because we never kept a key to any lock of a box we sold—I think I was writing at the time—yes, I was writing—I did not use the term "inconvenience"—the prisoner did—I will not swear positively he made use of that word—I do not know that it was a different word—I cannot

positively say, but I think something was said about "the position you have taken"—I think the phrase was, "I admire the position which you have taken."

Q. Instead of "inconvenience," it was, "I admire the position you have taken?" *A.* I have not said so—I am not positive he did not make use of the word "convenience" in the conversation as well—it is possible the words, "I admire the position you have taken," might have been used instead of "convenience"—I do not know that I said any thing after that, because, in the first instance, he made use, it appears, of the same phrase, and I said we had rather more discernment than he had, and he then made use of the words you have stated—I did not understand him in the first instance, and I then said, "We have more discernment than you"—he then repeated the words again, so that I understood him—it was after that conversation I had the box given to me—Britton was about four yards from me, sitting close to the shop-door—there is only one counter—there is just room for one chair to stand between the door and the counter, and it was there Britton was sitting—I was writing close by where the prisoner came and stood by the counter, nearer to the house than the street—the safe is about four yards farther in than where I stood—the person would be about four yards from Britton, and the safe was about double that distance—I was not writing on a desk, but on the counter—I did not say any thing to Britton, while the person was in the shop—Britton remained sitting all the time—the person was in the shop I should suppose from five to ten minutes—it was between half-past six and seven o'clock as near as I can tell—I can swear to the prisoner—I will not say it is impossible to make a mistake in a person, but I could never have a person stand before me and have such a conversation as the present without making particular observation.

Q. You did not notice the neckcloth to discern the flowers? *A.* When I talk to a gentleman I look him in the face, invariably.

Q. Can you swear to any one person that came to have a lock opened before this? *A.* No; I did not say persons frequently came to have locks opened—I said sometimes, not frequently—I do not think I am justified in making an average at all, but if I was to say about once a fortnight, it would be a fair average; but perhaps not so often as that—they generally bring the box and want it opened, but I never before had a circumstance which caused an altercation.

Q. But you did not know there would be an altercation in this case? *A.* No; but it did end in an altercation, and I noticed the person more from the circumstance that we did enter into an altercation—I do not mean to say that I quarrelled with him, but it was a slight altercation; so much so that it induced Mr. Chubb to leave his office at the back—Mr. Chubb came into the shop while he was there—I have said so before—he came into the shop at the time the prisoner was there—I did not say so before I went before the Magistrate, because the first time I went before the Magistrate, was the time I was called on to give evidence, and I had no time to name the circumstance—I can say that I did say so to Mr. Davis, the senior clerk, previous to our going before the Magistrate in the first instance, he and I conversed about it—I believe Mr. Chubb was at Marylebone office, but he has never been called upon—I was examined three times before the Magistrate, the first examination was on a Saturday—I was brought up again on the following Saturday, and I think the next was on

a Thursday—Mr. Chubb was not examined at either time—he was present at one examination—the prisoner was called by the Magistrate, put into the box, and then I was asked to look at him—I had been in the office some time before, during the whole time that he gave in his statement what he had to say on the subject—he was called into the witness-box, and examined—I dare say he was sworn—he gave an account of where he had been on the evening in question, before I was called on to look at him, but I had looked at him a great deal before I was called on—all the time he was undergoing examination—the Magistrate called on me to look at him—he had not a black coat on at that time—the account the prisoner gave was in presence of the Magistrate—I suppose it was in the witness-box—I heard him sworn—the woman was at that time in custody, and the soldier was brought up—he had been out on bail—the first day I was examined before the Magistrate, was the second Saturday after the Wednesday, it was the 19th of October—I cannot say what neckcloth he had on at that time—he appeared in a butcher's dress—I cannot swear what neckcloth he had, but I think a lightish one—I cannot swear whether it was black or white—I did not observe it.

Q. I suppose you had no reason to pay attention to him, had you? *A.* Yes; my attention was arrested directly he entered the witness-box—I do not recollect what colour his neck-handerchief was—I do not think his hair was darker than it is now, but I have observed that he has not had so much hair at one time as at another—his whiskers were certainly more than they are now—I think considerably more, but I cannot see him now very well—I think he had more whiskers then than now, but I will not swear it—I do not know that I have ever said the colour of his hair was darker at one time than another—I do not think I have—I am not positive, but I do not think I have, for there is a preponderance on that side—if I was led to suppose there was or was not, and thought strictly on the subject, I should say certainly I have not—I do not think I have said his hair was darker at one time than another.

Q. When you were first examined, had you heard of a reward of 100*l.* being offered? *A.* Yes; at that time I had—that was the first time I had seen the prisoner since Wednesday the 9th—I believe I was there before he was sent for to the office—I think he was sent for while I was undergoing my examination—I have been at Mr. Chubb's about a year and a half—I am shopman and collecting clerk—Britton is a druggist by trade—at the time I knew him he was carrying on trade at Biggleswade, and it was there I became acquainted with him—that is four or five years ago—I am not aware that he has ever carried on business in London—I do not know what he was at the time the transaction took place—I think he was in business in the country—I know he had come to town that day from the country—I am not positive whether he is in business now or not—he has been in business at Wellingborough—I believe he was in business there then—I had not seen him some time before that day—I saw him after for a few minutes on Saturday the 12th—I do not know whether I saw him again previous to the following Saturday or not—I am not certain—I saw him I know on the following Saturday, on the Saturday evening after my first examination before the Magistrate—that was Saturday the 19th—whether I had seen him or not between the 12th and 19th, I do not know—I am not certain—I think I had seen him in that week, but I cannot say how many times—I do not think I had seen him three times—I will

not swear I had not seen him five times, but I do not think I saw him more than once or twice—I did not see him five times in that week—I will not swear I did not see him three times—he was first examined on Saturday, the 26th, I think—I cannot say how many times I saw him between Saturday the 19th and the 26th—I do not think more than once—I swear I did not see him five times in that week—I never saw him five times in London in one week since I have known him—I saw him on the Saturday night after my first examination—I am not certain that I saw him again on the Wednesday, but I think I did—I will not swear that I did not see him more than once between the two Saturdays, nor that I did not see him three times—I saw him in the office on the Saturday morning before I was examined the second time—I did not see him at any time but at the office—I met him in the office—that was the first time I saw him that day—I never talked to him about my examination before the Magistrate—I told him I had been examined—I did not tell him what I had said—I mean to swear positively I never entered into a minute detail of what I said before the Magistrate—it is possible I might have told him part of it by way of conversation—it is possible I might tell him—I will not swear I did not—I believe I told him I had had an investigation, and I partly perhaps told him—it would naturally suggest itself to tell him what had taken place, as he had to appear, but my evidence I did not tell him, but it appeared on the Monday in the "Times," so that if he wanted to get at it he could have it—I told him he had to appear on the next Saturday, which was my commission from the bench—I told him I had been examined about the person coming into the shop, and I dare say I told him I had fixed on an individual, but I am not positive—I have some doubt about it, or I should be positive—I told him a person was produced—I do not know that I said he was servant to Mr. Porter—I will not swear I did not—I do not know that I told him the description I had given of the person—I will not swear that I did not, to the best of my recollection, I did not—I did not tell him about the stock and pin—nothing passed about them at that time—that was on Saturday the 19th of October, the first time I was examined—I will swear that I did not speak to him about the black stock before he was examined—I never named to him about the stock previous to his first examination, I swear that—I do not know whether Britton identified him by the stock—I saw Britton in the office before he was examined—I had not then seen the prisoner that day—I saw the prisoner before Britton was examined, because I saw him at the time of my own examination, which was before Britton's—Britton saw the prisoner in my presence before he went into the box—I did not talk with him at that time on this subject—not a word about him—not a word about identifying the man—I am not aware that I spoke about the union pin to Britton previous to his examination—I do not think I did—I will not swear I did not—I will swear I did not speak to him, certainly not any thing about the stock, nor yet the pin, that I feel quite positive of—I did not say a word to him about the stock and pin before his first examination.

Q. Where did you see him on the Wednesday night between the two Saturdays? *A.* I think he called in—yes, he did call in, I know—I said, "I think," to give me an opportunity of considering—I think he was only with me a few minutes—he had been somewhere in Fleet-street.

and called in—I am not positive he was not there half-an-hour—I will swear he was not there two hours—I do not think he could have been there half-an-hour, or any thing like it—I never remember his being in the shop an hour in my life—he had only been there a few minutes before this transaction happened on the Wednesday, and staid a few minutes after—he might be there half-an-hour altogether perhaps—I did not know at that time where Britton was lodging in town—I first knew where he was after his first or second examination—I am sure that was the first time—he called in St. Paul's Churchyard, on the Saturday on which I was examined, and it was there I told him he would have to be examined—I did not ask where he lived at that time, and did not learn, and I do not know where he lives now—I have his written address at home—it is somewhere in Liverpool-road, I know—I have written one note to him, that is all the occasion I have had to refer to his address—I do not think he has been in London ever since—I think he has been in the country several times—he has been at his place of business since—he tells me so.

Mr. Clarkson. *Q.* Look at this key—(*producing one*)—and tell me whether it is one of Chubb's keys? *A.* No, it is not—Mr. Chubb does not sell any cash-box at so low a price as 11*s.*—I had not the slightest knowledge whatever of the person I was to see afterwards, when I gave the description to Inspector Tedman—Dixon was called as a witness for the prisoner before the Magistrate, and Mr. and Mrs. Whitford also—they were examined on his behalf—I had been poorly about the Friday, after the 9th of October, for two or three days at different times—I was certainly worse on Saturday afternoon, the 12th, and I went home earlier than usual—I think I left about four o'clock—I am positive it was before five o'clock—I did not return at all that evening—I saw Dixon before the Magistrate.

Q. On the oath you have taken, did you ever see that man, Dixon, on that Saturday? *A.* No, I did not—he was brought to me on Wednesday evening, the 30th of October, by Mr. Whitford—Mrs. Whitford was not with them—that was the first time I ever saw Dixon to my knowledge—I have no knowledge whatever that I ever saw him before.

Court. *Q.* But it is possible you might have seen him at your shop? *A.* It is possible I might have seen him, but I do not remember ever seeing him before—I will not swear that I might not.

Mr. Clarkson. *Q.* You say your first examination was on Saturday, the 19th? *A.* Yes, and I was again examined on Saturday, the 26th—I saw a publication of what passed before the Magistrate on the Monday after the 19th—Mr. Dixon and Mr. and Mrs. Whitford were produced after my examination on the 19th—I have been about a year and a half with Mr. Chubb—before that I was with George and John Dean, ironmongers and cutlers, in King William-street, for nearly three years—before that with Mr. Rogers, a silversmith at Halifax, six months, whom I left in consequence of ill health, and before that with Mr. Powers, an ironmonger at Biggleswade—I think I was with him upwards of three years—it was the first situation I had after leaving my father's house at Dartford, Kent.

Court. *Q.* Do you know anything about Dixon and Whitford's volunteering themselves as witnesses? *A.* They came forward, but before they appeared in the witness-box they were called forward to give evidence—I

believe they were there voluntarily—I do not think they were subpœnaed—they were examined by Mr. Phillips on behalf of the prisoner—I think they were called by the Magistrate's clerk—they were called separately into the witness-box—I do not know who gave their names to the clerk—I saw them in the office before they came into the box—I did not hear any one of them come forward voluntarily of his own accord—they were called on separately to come forward—they were not there accidentally, because they had been to me once or twice on the subject.

MR. CLARKSON. *Q.* Before Mr. and Mrs. Whitford appeared at the Magistrate's, had they been to your master's house? *A.* Yes, and had produced a cash-box—that was not the same cash-box that I had from the prisoner.

MARY ANN BRADER *re-examined.* This is my bunch of keys—this key with a string tied to it is the key of the cash-box which was lost.

JOHN BRITTON. I am a chemist and druggist, but am not in business at the present time. On the 9th of October last I was residing at No. 3, Liverpool-road, Islington—I am a friend of Pierce's—on Wednesday evening, the 9th of October, I went to Mr. Chubb's—I was there twice that evening—I was there between half-past six and seven o'clock—while I was there the prisoner came in—Pierce was there at the time—he walked in—he had a cash-box in his hand—he addressed himself to Pierce—I was near enough to hear what was said, and attended to it—he was conversing with Pierce about five minutes, during which time I had a full opportunity of seeing his features—the prisoner first asked Pierce to unlock the box—Pierce asked him if he had lost the key—on finding he had, he said it was part of the excellency of the patent that they professed, not to make two locks alike—on which the prisoner requested him to break it open—I believe the next question was, Pearce asking him if he was the owner—the prisoner answered in the negative—Pearce said he could not break it open without a written order from the owner—on which the prisoner said, that would be very inconvenient, or words to that effect, as he had come some short distance, and that he had to make a payment out of the box, and he should have to return, to get the written order—the remark that particularly drew my attention was the prisoner's saying he saw the position to be right which Pierce took, in refusing to open the box—Pierce said, "We have rather more discernment"—the prisoner said, "You misunderstand me; I say, the position you have taken I see to be right"—Pierce said he would do so, on reflection, or words to that effect—the prisoner offered to leave the box till he got the written order—Pierce had the box in his hand—the prisoner came towards me, and before he got within a yard of me he said, as the box would have to be opened he would take it with him, and he returned and took it with him.

Q. Have you ever seen a man named Dixon? *A.* A person who said his name was Dixon—I first saw him at one of the examinations at High-street—I never saw him at Mr. Chubb's shop—he is not at all like the prisoner.

Cross-examined by MR. SERGEANT BOMPAS. *Q.* Then you knew Pierce before? *A.* Yes—I did not tell him I was carrying on business when I was in town—I did not tell him I was carrying on business in the country while I was in town—I was not carrying on business at that time at Wel-

lingborough—I was not in business then, nor am I now—I have not left town from time to time since this, to attend to business of my own.

Q. You told Pierce, did you not, that you were out of employ? *A.* I do not know that I told him that evening particularly—while I was in town he knew I was out of business—I do not say I told him particularly that evening that I had relinquished business—I have known Pierce about three or four years—I knew him at Biggleswade—I have seen him since then at Dean's, in Monument-yard—I relinquished business towards the latter end of September—I have carried on all branches of a country chemist and druggist's business—I have not been any thing immediately unconnected with the business—I attached the grocery business at Wellingborough, in connexion with the druggist's—I gave up business at Wellingborough about the latter end of September—I did not carry on the business of a grocer at that time—I cannot say exactly when I gave up the grocery business—I have been unfortunate—I never took the benefit of the Insolvent Act—I have never been a bankrupt.

Q. Have you compounded with the creditors? *A.* I do not know what composition will be offered—it depends on the sale of private property—I have not paid my debts yet—I have called my creditors together—they have been informed as to the condition I was placed in—there was never a meeting at which I met them—a solicitor was sent to them—I assigned my property to trustees for the benefit of the creditors about the latter end of September—Wellingborough is about twenty-one miles from Biggleswade—I gave up business at Biggleswade three years last June—I was not unfortunate there.

Q. Why give it up if you were thriving there? *A.* There is a difference between unfortunate and thriving—I gave it up because I thought I could better myself where I was surrounded by my own relatives—I have been at Wellingborough about three years last June—I sold tea there—I did not act as a doctor—I did not visit patients—I do not know that Pierce knew where I lived when I was in town—he knows where I reside now—he has not been to see me since I have been in town this time—whether he has called when I was out I do not know—I saw him on the night of the 19th of October, the night of his examination, at Mr. Chubb's, in St. Paul's Churchyard—he told me he had been to give information concerning the presentation of the cash-box there—he related to me what passed before the Magistrate, but not before he had asked me questions—I do not know that he told me word for word what passed before the Magistrate—he gave me some account of his information—this was some time on the Saturday evening—I occasionally called to see him at Mr. Chubb's while I was in town.

Q. Now, on the Wednesday when you say you saw the prisoner, did you notice what stock he had on? *A.* I cannot say whether it was a stock or neck-handkerchief—to the best of my recollection it had long ends, but I will not swear whether it was a stock or handkerchief, or whether they were long or short ends—I will not swear I did not catch my eye on part of his shirt, and I will not swear that I did—I will not swear to any thing of the kind—it was a dark neck-handkerchief—I will not swear whether there was any union pin in it or not—he stood opposite the lamp, and near the lamp at times—he walked about a pace or two, backwards and forwards—he did not stand exactly opposite the lamp all the time—he was near to it at some times—I will not swear it was near him

all the while he was showing the box—it might be at some time—it was nearly opposite to his face at the time he was talking to Pierce about the box—it might be exactly opposite at some time—to the best of my belief I think it was at some time—while he was looking Pierce in the face it was not behind him—if he turned his back to it it was behind him—the best part of the conversation I should say he was looking Pierce in the face, not exactly staring him in the face, but as one man would look at another during conversation—the lamp was very near him then—it was not exactly opposite him as I know of all the time—to the best of my recollection the lamp was placed on the counter—the prisoner stood during the best part of the time near the lamp—at some part of the conversation it might be he was before the lamp looking Pierce direct in the face—at another time he might be looking at another part of the shop, not exactly at Pierce—to the best of my recollection the lamp was between him and Pierce—it was on the counter, against the desk—I think it was a gas light—I cannot say whether it was fixed or moveable—I believe it was a fixed gas light, but I will not swear it—Pierce was on one side the counter, the gas light on the counter, and the prisoner on the other side—to the best of my recollection that was the position of it—the light was between Pierce and the prisoner—it was between them some part of the time—he did not stand in one position the whole time—he moved a few paces nearer to me—I think the lamp was higher than this one—(*one fixed in the Court*)—to the best of my recollection it was higher than this from the counter—I should say it was six inches higher than this from the counter—I was there when the person came in with the cash-box in his hand.

Q. Did he go straight up to Pierce with the cash-box in his hand to ask him to fit a key to it? *A.* I do not know that he put the cash-box exactly in Pierce's hand, he might have laid it on the counter—Pierce was standing at the counter—he addressed himself first to Pierce—he asked him to unlock it—the question was to open the box—he gave an intimation to unlock it by a key, not to break it open—I will not swear whether it was to fit a key, or to unlock it—I am sure he meant to unlock it, not to break it open—he was there two or three, or three or four minutes, perhaps, before he said he would leave it and go and get an authority—Pierce then took the box towards the end of the counter, and, at the request of the person who brought it he gave it back—I was sitting down all the time—he took it out of the door with him—this was on Wednesday—I next saw Pierce on the following Saturday, the 12th, at Mr. Chubb's shop—I was going to Islington at the time—I mean the Saturday immediately following the Wednesday.

Q. Did you see him between that Saturday and the next? *A.* To the best of my recollection I did—I think not more than once—it might be twice—I am not prepared to swear whether it was once or twice—I do not think it was more than twice, but I will not swear it—he was examined on Saturday the 19th, and again on Saturday the 26th—I saw him I think three times between those two Saturdays—I called for him, to the best of my recollection, on Monday night, and walked with him nearly to his lodging, to the best of my recollection—I cannot say where his residence is exactly—it is in Hoxton I believe—it is called Hoxton—it is near the new church, Hoxton, I believe—it is not three or four miles from Mr. Chubb's—it is perhaps about twenty minutes or half-an-hour's walk—I

did not see him on Tuesday or Wednesday—to the best of my recollection the next time I saw him after Monday night was Thursday morning—I cannot swear I did not see him on Wednesday—I could almost swear it—I saw him on Thursday morning, at Mr. Chubb's, but not for five minutes—I did not walk out with him then—I did not see him on Friday—I met him on Saturday, at High-street, Marylebone—I think we met in High-street, or whether we met in the office I do not know—we met at the appointed time of meeting, on the Saturday—that was not the first time I saw the prisoner after this transaction—I had seen him between the time of the transaction and the time I saw him at the office, at Mr. Porter's shop, in Quebec-street—I was not taken there to identify him.

Q. How did you happen to go? *A.* I went on purpose.

Q. On purpose to see him? *A.* To see him—I did not know it was him—I had heard from Pierce that it was a servant of Mr. Porter's that was charged, but I did not know I should see the prisoner—I went to see if, according to my own opinion, it was the person who presented the cash-box—to the best of my recollection it was on the Tuesday morning following, the 19th of October.

Q. Pierce had told you, had he not, that he had sworn to a servant of Mr. Porter's? *A.* He had not sworn to him I believe then—I think he told me he had not sworn to him—he was to see him again—he told me on Saturday night that the case was adjourned till the following Saturday—he told me he had not sworn to him—he did not tell me any particular reason for that—I should imagine it was because he was not confident it was him—I do not know—I don't think I saw Pierce on the Tuesday I went to Mr. Porter's—it was on Monday evening I saw him, and walked with him to Hoxton, and next morning, I went to Mr. Porter's—Pierce did not tell me to go there—I did not tell him I should go.

Q. How did you know where Mr. Porter lived, did Pierce tell you? *A.* I saw the hand-bills and placards.

Q. With the 100*l.* reward offered? *A.* I saw the hand-bills.

COURT. *Q.* Do you mean the hand-bills offering the reward? *A.* Yes.

MR. SERGEANT BOMPAS. *Q.* And then you knew where Mr. Porter lived—that told you? *A.* Why, it was printed on it.

Q. When you walked partly home with Pierce on this Monday, had you a little conversation about what took place on the Saturday; did you talk with him about the business? *A.* It might have been mentioned, but very slightly—I saw the placards on the Saturday night, at the time Pierce was talking to me about it—Pierce showed it to me—I did not tell Pierce whether I would or would not go to look after the person—not a word passed between me and Pierce about my going to Mr. Porter's—I cannot recollect whether I told him I had been there before I went before the Magistrate or not—I swear I do not remember whether I did or not on the Thursday when I called on him—I do not remember whether or not I told him I had been to Mr. Porter's or had seen the person—I never told the police officers I had done so—I told my cousin who was with me at the time—his name is Glenn—he lives at No. 3, Liverpool-road—he is the person I have been with since I have been in town—Pierce knows him—he has seen him—he is not intimately acquainted with him—he knows him by sight, and has had a few words conversation with him.

Q. Where did you first see the prisoner on the examination on Saturday the 26th? *A.* To the best of my recollection, in the outer office—I was

satisfied in my own mind he was the man—I had no one with me then to point him out to—the police officers were not with me—I did not see them to my knowledge—they were not in the room where I was—there were police officers waiting about the Court, but to my knowledge neither Tedman or Seal, who are connected with this affair, were there—Pierce was not with me in the outer office—I cannot recollect whether we passed through the outer to the inner office, or whether we went in at the private entrance—I am not prepared to say now—I saw the prisoner first in the outer office—I did not go into the inner office directly.

Q. Did not you meet Pierce in High-street, and go together into the outer office? *A.* Not at the time I first saw the prisoner—I think I had been in the office before I saw the prisoner—I do not know whether he was there before me—the office was nearly full—I cannot say whether I had been inside and came out again, or not, but the first time I saw him was in the outer office—I do not think Pierce was with me in the outer office at all—I will not swear it—to the best of my recollection, as I said before, we did meet in High-street, but he was not with me at the time I first saw the prisoner—I do not know that I pointed him out at all—I had no one to point him out to—I did not point him out to Pierce, or to any one else, to the best of my recollection—I did not point him out to the officers, or any one else—I did not point out that I knew him—I cannot say whether I ever told Pierce I had been to Mr. Porter's or not—I might have told him since—I think I have told him—I cannot swear it—the strong impression of my mind is that I have, but I will not swear it—I will not swear whether I ever did or not, because I am not certain—to the best of my recollection I never told any policeman that I had been there—I believe my cousin who went with me is not here.

Q. Did you ever tell any body else that you went to Mr. Porter's? *A.* Yes; the conversation took place where I live, and I told them of course—my cousin and his wife—to the best of my recollection I did not tell any of the policemen.

MR. CHAMBERS. *Q.* Did you go to Mr. Porter's with your cousin? *A.* I did—I did not see the prisoner there the first time—I went again about half-an-hour after, and the prisoner was then there—he was in his working dress in the shop, not alone—I think Henry Porter and another person were with him when I saw him in the shop—I was persuaded he was the man who presented the cash-box—I went to High-street police office on the following Saturday, and again saw the prisoner in the outer office—the office was nearly full of persons—he was dressed quite different then to when I saw him on Tuesday, but I recognised him—I was positive to the fact—when he came with the cash-box he had on a dark dress-coat, I think they call it, and dark trowsers—I think the coat was black—at all events it was very dark.

Q. In respect to the coat, was he dressed the same as the prisoner was on Saturday? *A.* I cannot swear to a shade or two, but it was dark—I believe the lamp in Mr. Chubb's shop is at the end of the counter towards the bottom of the shop, but the height I cannot say—Pierce was near the lamp—I have not a distinct recollection of the height of it from the counter—the shop was light at the time the man came in—when he left the cash-box with Pierce, he came, I should say, within a pace or two of where I was sitting, which was at the top of the counter in front of the shop against the door—I went into Bedfordshire after I was examined on the Saturday

—the first time I arrived in town I did not come direct from Wellingborough—I came up on the Wednesday morning, the very day the cash-box was presented.

(Mr. Clarkson *declined calling further evidence, not being able to prove that the cash-box brought to Mr. Chubb's was the prosecutor's, nor to trace any of the property to the prisoner, or show that he was in possession of money.*) NOT GUILTY.

Fourth Jury, before Mr. Sergeant Arabin.

336. MARY BRYANT was indicted for stealing, on the 16th of November, 1 purse, value 1*s.*; 12 sovereigns, and 2 half-sovereigns, the property of Thomas Byers, her master, in his dwelling-house.

Mr. Clarkson *conducted the Prosecution.*

Catherine Byers. I am the wife of Thomas Byers, who keeps the Life Guardsman public-house, at Knightsbridge. The prisoner came into our service on Monday, the 11th of November, and left last Saturday week, when the policeman took her away—she was to have 9*l.* a year—we had her character from the Licensed Victuallers' Protection Society—she came on Monday, and asked my leave on the Friday or Monday after to go and fetch her clothes, as when she came she brought nothing but what she had on, except an old bonnet box—she returned the same evening in a *cab*, and brought a new trunk—on the Saturday after I heard my husband had lost some money, and I said to her, "Mary, your master has lost his purse, have you seen it?"—she said, "I have seen master give change"—I said, "When did he give change?"—she said, "In the parlour"—I said, "To whom did he give change?"—she said she did not recollect whether it was in the parlour or at the bar, but she had not seen it since—on the Saturday she was given into custody—that was three weeks after she came to the house—I saw her box when she was searched—she was present, and threw the things out of the box herself—she came to a piece of paper among the things, she rubbed it up in her hand, and the policeman said, "What is this? I must know"—she said it was a piece of wedding-cake—he took it out of her hand with great difficulty, and when he had undone it, it turned out to be a sovereign and a half—there was a pair of new boots on the table—she persisted in it that she had never bought any thing since she came to our house—I said, "Mary, there is a new pair of boots, and I saw you with a new pair on"—she said, "Did you, ma'am, I had them before I come to your place."

Prisoner. *Q.* Did I ask you for any money when I came to your house? *A.* I advanced you a shilling—I said it is usual for my servants to pay for things at the bar as they have them, and if you have no money I must advance it for you—she said nothing to that—she never paid me the 1*s.*—when she was going out she had a bundle in her hand, and said, "This is a gown I was obliged to borrow, I am going to take it back."

Thomas Byers. I keep the house—the prisoner was in our service. On the 14th of November, about eleven o'clock at night, I went up to bed—I took my coat and waistcoat into my bed-room—I hung them over the end of the French bedstead—in my waistcoat-pocket there was a scarlet silk purse, with thirteen sovereigns in gold, and there might be half-a-sovereign—I missed the purse on the 16th, the Saturday following—Mrs. Byers getting up first, I always consider she takes my money and locks it up—so on the 15th when I got up, I thought nothing of its not being

there, but on the Saturday I wanted change for some cheques, and found the purse and money had been stolen—I searched my pockets, and all round the bed-room—I did not wear the same coat and waistcoat again—I found the coat and waistcoat on the 16th in a drawer, where I keep my clothes, folded up and put away.

COURT. *Q.* Then you never wore the waistcoat after putting it on the bed? *A.* I did not wear it on the 15th or 16th—our house is very much frequented by Guardsmen—it was my dwelling-house, and is in the parish of St. Margaret, Westminster.

CATHERINE BYERS *re-examined.* I did not take the purse out of my husband's waistcoat-pocket, and did not know it was gone—the bed-room is on the first-floor, at the back of the house.

THOMAS BYERS *re-examined.* I keep three servants, one grl, a pot-boy, and an odd man to run errands—I lock my bed-room door night and day—I am very particular about it—it was opened for the prisoner to make the bed—she was the only one that had access to it—I had only a nine or ten days' character with the prisoner, from the Skinners' Arms, Clerkenwell, but they had had a nine months' character.

JOHN LEWIS. I am Mr. Byers' odd man. On the Saturday after the prisoner was engaged, she gave me a sovereign to get change for her—she took it out of her apron-pocket—I got her change at the bar, and next week she applied to me to do the same thing—I got her change for another sovereign, and I got change for half-a-sovereign for her the following week—she told me her grandmother had left her 50*l.*

Prisoner. Q. What did I say to you? *A.* To get change, and you would pay for half-a-pint of gin for me—the gin was brought into the tap-room, and I helped to drink it—she told me her grandmother in Ireland had left her 50*l.*, and said, "I will not spend it all yet, but we will have a *spree, Jack*, before it is done"—she did not tell me she wanted the change for a parlour customer.

Prisoner. It was merely said as a joke about the fortune.

SOPHIA GRUMBY. I live in Green-street, Theobald's-road. I have known the prisoner between four and five years—she had lived with a publican in the same street with me—the last time I saw her was in Hyde-park fair, till she came to me last Monday four weeks, and sent my grand-daughter up to ask me to go with her to buy a few things—I went with her to Mr. Frith's, in Lamb's Conduit-street, and she purchased a cloak, two gown-pieces, two bed gowns, a merino gown, and thirteen yards of calico for shifts, and 12 yards which was a remnant—she spent between 3*l.* and 4*l.*, I reckon, and paid in gold—I had never seen her with so much money before, and I reproved her, and asked her where she got it—she said her master had advanced her a quarter's wages, and somebody else had lent her 2*l.*—she took the gold from a red or maroon purse—it was a silk one—after that I went with her to Mr. Denham's, in Theobald's-road, to buy a bonnet—she paid 14*s.* for it—I could not see whether she paid for it in gold or silver, and she bought a trunk in Theobald's-road for 7*s.*—I should know the trunk again—this is it—(*looking at it*)—here are some of the things in it, which she bought that day—all this passed that morning.

SARAH STRINGER. I live at the school-house at Knightsbridge. I know Mr. Byers—while the prisoner was in his service she came to me, three weeks ago last Thursday, and asked me to go with her to buy a pair of boots—she went to a shop very near Sloane-street, and bought a pair for

4*s.* 6*d.*—she changed a sovereign—the week after I went with her to Mr. Harvey's, the linen-draper, at the corner of Sloane-street, and bought three aprons for 3*s.* 3*d.*—she paid a sovereign for them—I went with her the same evening to buy some caps and several articles, which came to 15*s.* 5*d.*—she paid for them in silver—on the Saturday I went with her to the same shop, to buy a pair of stays for 11*s.*—she changed a sovereign to pay for them—she said her parents, who were living in Ireland when they were alive, had left her the money—these are the boots and the apron she bought.

Mrs. Byers *re-examined.* These are the boots she said she had bought before she came to our service.

Sarah Speedy. I live at No. 117, Cromer-street, Brunswick-square, with my brother. On the 22nd of May the prisoner came into his service, and staid about four months, or four months and a week—when she came she had no money—my sister advanced her money after she had been there two days to buy clothes, for she had scarcely any thing to wear, we were ashamed to see her, and I have given her clothes—when she left, 7*s.* were due to her.

Richard Hill (*police-constable T* 134.) In consequence of information I received I went to Mr. Byers's house last Saturday week—Mr. Byers said he had lost a quantity of money, and on account of the prisoner's buying a quantity of things, he suspected her—she said she was innocent, and had not taken the money, that she had bought no new clothing since she had been there, and she had got nothing but what she worked hard for—Mr. Byers said Lewis had changed money for her—she denied it—Lewis was called in, and said he had changed two sovereigns and a half for her—I went up stairs with her and Mrs. Byers, and examined this large trunk—the prisoner took the things out—they were nearly all new clothes—I noticed something in her hand—I wanted to take it from her, and she said it was nothing but a bit of wedding cake—I got it from her, and found two sovereigns and a half wrapped up in paper—when the things were found in her box she said she had bought them of a tallyman, at No. 8, Field-lane, Holborn, and her friends had given their word for her—I have been to No. 8, Field-lane, and there is no tallyman living there.

Prisoner's Defence. I am quite innocent of the charge.

GUILTY. Aged 22.—Transported for Ten Years.

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337. CHARLES EDWARD CHAUNT was indicted for stealing, on the 28th of November, at the Liberty of the Rolls, 1 bag, value 6*d.*; 5 franc-pieces, value 12*s.* 6*d.*; 8 half-francs, value 3*s.* 4*d.*; 8 sovereigns; 1 half-sovereign; and 4 half-crowns; the property of Phillip Martineau and others: 1 purse, value 6*d.*, the goods of Edward Trollope: 1 snuff-box, value 2*s.*; 1 watch-chain, value 2*l.*; two seals, value 15*s.*; 1 penknife, value 6*d.*; 1 guinea, 4 shillings, and 9 groats; the property of William Glide, in the dwelling-house of Phillip Martineau and others; and afterwards, about the hour of eleven o'clock in the night of the same day, burglariously breaking out of the same dwelling-house.

Mr. Chambers *conducted the Prosecution.*

Orson Barnes. I am a clerk in the employ of Messrs. Phillip Martineau and two others. One of the clerks dwells in the premises in Carey-street—the firm do not pay taxes for the house I believe—on Thursday night, the 28th of November, I went out about a quarter-past nine o'clock—I turned the gas off and let go the bolt, and that fastened the door—the

desk, which was afterwards opened, did not belong to me, but to Mr. Glide, one of the clerks—I did not notice it—I had put a canvass bag, with eight sovereigns, one half-sovereign, and four half-crowns into a little drawer in the iron safe on that night—I put the key of the little drawer in my pocket, and the key of the iron safe in a drawer of a desk close by—I have frequently seen a green purse—I put it in the drawer of the iron safe myself in the early part of Sepember—it contained 3 five-franc pieces and several small French coins—I arrived at the office about ten o'clock next morning—the safe had then been opened—papers were lying about the floor, and the little drawer was quite empty—the purse was gone and the bag containing the money—the purse belonged to Mr. Trollope, one of the partners—I found two or three bunches of keys on the floor—the policeman tried them and one of them opened the little drawer.

WILLIAM GLIDE. I reside in the house. I came home about ten minutes to twelve o'clock on the night in question, and let myself in by the latch and door-keys—the door was not open—the latch-lock and the large lock were both fastened—I opened them—the cellar-flap, which leads to the coal-cellar was open—you cannot get from there to the office—when I went into the office, I found the gas full on—it is always usual for the last clerk who leaves to turn it out—I went into the outer office and found my desk turned up and all the contents thrown over—I looked into a little tin case in my desk and missed a George III. guinea, a small German silver snuff-box, a gold chain, and a paper containing new shillings, sixpences, and fourpenny-pieces, amounting to about 10*s.*—I went into the inner room and found the iron safe open, the left hand drawer out, and the contents gone—some papers were strewed about, and three bunches of keys on the floor, with the contents of the drawer laid over them—one of the keys opens the drawer of the iron chest as easily as the right one—the key of my desk was lying on the desk—the key was not in the iron chest, but placed on Mr. Martineau's table in his room—it was usually kept in a small side drawer—I lost a penknife from my desk.

WILLIAM WELLESLEY MEDDLECOTT. On Saturday, the 30th of November, about half-past one o'clock in the morning, the prisoner and two other boys came to Bow-street—the prisoner charged one of the boys with assaulting and robbing him—there was a boy who accompanied the prisoner, and another who was in custody—the other boy desired me to ask the prisoner what he had done with the silver snuff-box he had in the morning—the prisoner said it was not silver, it was only German silver, and that he had lost it in the scuffle which had recently taken place in his room—he said he had lost four half-crowns also—I told him to let me search him, and see what he had about him, perhaps he had not lost them—I found on him four half-crowns, one shilling, 5½*d.* in copper, three duplicates, and two silk handkerchiefs—I asked him where he lived—he said, in Salutation-court, Broad-street, St. Giles's—I sent George Bird there, and he returned to the station-house with this green silk purse, with five sovereigns, one half-sovereign, one guinea of George III., three five-franc pieces, and eight small coins—he also brought a canvass bag with 1*s.* 6*d.* in it—I asked the prisoner where he had got the gold—he said he had saved it from his earnings—I asked him about the foreign coins—he said they had been given to him by his father—I asked him about the purse—he said he bought that in Holborn about two months previously.

GEORGE BIRD. I got the things produced by Meddlecott from the wit-

ness Conolly, on the night in question, at No. 1, Salutation-court, St. Giles's, and brought them to the station-house.

WILLIAM CONOLLY. I keep a lodging-house in Salutation-court, Broad-street, St. Giles's. The prisoner lodged with me from the Monday till the Friday before the 30th—I got the things I gave to Bird from the prisoner's hands—some boys were attacking him, which led to his giving them to me—on Thursday night, the 28th of November, or Friday morning, he came home, about one o'clock—at that time he had not paid me any thing for his lodging—when he came home that night, he paid me 1*s.* 4*d.* for two nights' lodging—he pulled out a canvass bag, which seemed to have plenty of money in it, but I could not see what—I asked what made him so late—he said he was a dancer at a minor theatre, and that was the way he got his living.

EDWARD TROLLOPE. This is my green purse—I have had it some time, but the slide and tassel I have had six or seven years—my house is in the Liberty of the Rolls—we pay the rent, and my clerk lives in it to take care of it.

GEORGE COLEMAN. I am a master sweep. The prisoner was in my service for six years and four months—he left me in June—while he was with me I did work at Mr. Martineaux's, in Carey-street—he often went there—I know nothing of his being a dancer at a theatre.

GEORGE BIRD *re-examined*. There was no appearance of any violence done to the doors at all—I believe the cellar-flap was opened from the inside—I have no doubt of it.

GUILTY. Aged 17.—Transported for Ten Years.

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338. CHARLES GREEN was indicted for feloniously receiving of a certain evil disposed person, on the 29th of November, 100 lbs. weight of cane, value 1*l.* 5*s.*, the goods of Samuel Crowder, well knowing it to have been stolen; against the Statute, &c.

SAMUEL CROWDER. I am a cane merchant, and live in Sun-street, Bishopsgate. I may have seen the prisoner before this happened, but not to know him—a person called at my house, and gave me information, which led me to go down to the witness Smith, who, my informant told me, was buying property which was stolen—Smith was not at home—I left my card, and he came to me the same evening—I had some conversation with him about this cane—after going to two or three places, he took me to a cellar, where the prisoner (who is a basket-maker) was at work—this was last Friday week—the prisoner was called up—I said, "I have come to you about this cane you have been selling to Smith, I want to know where you got it"—he said he could not tell the man he got it of, that it was brought to his house, and that the man was a stranger to him—I said, "You must know who the man is"—he said he could not tell me, he did not know him, but if I would let it stand over, the next time the man brought any he would stop him—I said, "That will not do for me, I must know; will you go with me, and see if you know any of my men?"—he said he would rather not, he was busy—I said, "I shall insist on your going"—he said, if that was the case he would go—he came down to my house, and I had all my men called up—he said it was none of them that he received it from—I sent for a policeman, and gave him into custody—after taking him before the Lord Mayor, he discharged him, on condition that he should go back with me to my house and see the men again, but I found

it was half-past twelve o'clock, and said, "The men are all gone to dinner, it is of no use, will you come again in the afternoon?"—he said he would, but he did not—in the afternoon I heard Harris had brought some cane—I went to him, and found a bundle which I can identify, and I found more at Middlebrook's.

Cross-examined by MR. PAYNE. *Q.* He saw all your men the first time? *A.* He did—the Lord Mayor allowed him to go, on condition of his trying to find the man he bought it of—there was quite an understanding that he was to go back with me—I had him taken into custody next morning—I am certain the cane is mine, by the manner in which it is tied up, and by the quality of it—I did not miss it at all—I should not miss a ton of it, but I am certain it is mine—I never expressed a doubt of it.

WILLIAM SMITH. I am a cane-merchant, and live in Gloucester-terrace, Mile-end. I have known the prisoner five or six years as a basket-maker—he came to me on the evening of the 29th of November with about 20lbs. weight of cane to sell me—I asked him how much it was—he said 1½*d.* a pound, and I bought it of him—I also bought 28lbs. weight of him next morning—I asked him how he came by it—he said he had it from a fisherman—I afterwards delivered the cane to Mr. Crowder—I said to the prisoner after I bought it, that the cane looked like Crowder's—I cannot recollect what he said—I might have said he would be found out at Christmas, when they took stock—I said, "If Mr. Crowder takes stock, you will get into an awkward predicament, and take care of Christmas"—he said he should go on till Christmas, and then leave off.

Cross-examined. *Q.* How much did you give? *A.* 1½*d.* a pound—I cannot say how much it is worth—I have bought it before for 1½*d.*—I cannot say whether it is worth 3*d.* in the trade, it may be—there are so many judges—I bought one bundle of him before I had any suspicion—I bought one bundle on the 29th, and one on the 30th—I particularly desired him not to bring me any more—my man was present and weighed it for me—I have been in the business fourteen or fifteen years—I buy a great deal at less than 1½*d.* per lb.—I have bought it at three farthings and five farthings, good enough for our basket work—this is certainly better.

JOHN CHRISTMAS. I work for the last witness. I remember the prisoner coming on the evening of the 29th—he called in the morning first and brought a bundle of cane, and said he was going mending—he called at eight o'clock in the evening, and master bought what he had left, which was about 20lbs. weight for 2*s.* 6*d.*, I believe—I was not present next morning when he called—on the 3rd of December I was present when he called, and master said he would rather have no more, he did not think it was all right (he had come to ask when he should bring another bundle)—he said he bought it at a fair price, it was brought to him in broad daylight, and he did not care for any one—Smith said wherever it came from they would miss it when they took stock at Christmas—he said he should leave off buying at Christmas—I told him, myself, I thought it was Crowder's stock.

Cross-examined. *Q.* Did not Smith say to him, "We know where it comes from, we know it is Crowder's?" *A.* Yes, on the 3rd of September, and he said he gave a fair price for it—he said he should leave off buying at Christmas, or before then.

FREDERICK HARRIS. I am a basket-maker. I bought 33lbs. weight of cane of the prisoner on Tuesday, the 3rd of September—I did not ask him

any questions—it was found on my premises by Mr. Crowder, just as I bought it.

Cross-examined. Q. How much a pound did you pay? *A.* 1½*d.*—it is not worth 3*d.* to my knowledge—I do not buy much cane—I did not think I had got a very good bargain—I did not like it much—I never paid more than 1*d.*, five farthings, and 1½*d.*—it is cane which does not suit our work.

SAMUEL MIDDLEBROOK. I am a basket-maker, and live in Red Lion-street, Spitalfields. I bought a parcel of cane of the prisoner on the 5th of September—I asked where he got it—he said he bought it for his own use, but was going to work at Mr. Mullins's, and had no further use for it—I gave him five farthings a pound for it, which he said it cost him.

Cross-examined. Q. Is it good cane? *A.* Not so good as we could wish—I have bought better at the price—we buy all the rubbish, which does for our work.

WILLIAM MARCHANT. I am a policeman. I apprehended the prisoner.

MR. CROWDER *re-examined.* I have not the least doubt this cane was stolen from me—we never sell it under 3*d.* a pound—it is all 3*d.* cane—there is no inferior quality among it—I cannot tell how it got off my premises.

NOT GUILTY.

339. GEORGE PARFETT was indicted for stealing, on the 13th of December, 2 bladders, value 1*d.*; and 17lbs. weight of lard, value 10*s.*; the goods of Edward Reynolds, his master.

WILLIAM CHILDS. I am a beadle of the Tower. On the 13th of December, about ten minutes before eight o'clock, I was on Tower-hill, and saw the prisoner pass me with a coat over his shoulder, and a paper in his hand like a bill—I saw him turn his eye, and look at me, and suspecting what he had was not his own I followed him, and saw him roll the paper up in his hand, and put it into his pocket—I followed him to Rosemary-lane—he kept looking back at me—I went up, and asked what he had got—he said, "Two bladders of lard"—I said, "Where did you get them?"—he said, "In Thames-street," that he bought them of a hawker—I asked where he worked—he said, "For Mr. Reynolds, in Thames-street"—I asked him to go there with me—he said no, they would know nothing about them—I said, "If you bought it in the street it is a *plant* on you; you had no business to buy things in the street"—I took him back to the prosecutor's.

Cross-examined by MR. PRENDERGAST. Q. Have you inquired about the prisoner? *A.* I have—every body gives him a good character.

CHARLES MORTLEY. I am warehouseman to Edward Reynolds, of Upper Thames-street. The prisoner has been in their employ eight weeks as porter, and was so at the time in question—I cannot swear to the lard—it is impossible to do so, having no private mark on it—Mr. Reynolds bought a certain quantity of lard on the 1st of November, and when the prisoner was brought to us we counted them, and found two short, but when we open a cask of lard we frequently find bladders short, and bladders over—I have found ten over, and I have found two short—we miss two by the number on the invoice.

Q. Is this your writing? (*handing him his deposition*) *A.* Yes—(*the witness's deposition being read, stated,* "*We miss two bladders of lard similar to these two produced, from our warehouse*")—I cannot say that these correspond with what we miss—I told the Magistrate I could not swear to it

further than by the invoice there were two short—I did not say I could swear to them.

GEORGE MORTLEY. I work with my father at the prosecutor's warehouse. On the day in question, about half-past seven o'clock, I saw the prisoner at the warehouse door below where the bladders are kept, and I left him there.

Cross-examined. Q. You left him where he ought to be, did you? *A.* He was taking down the shutters—that was his business.

GEORGE LOTON. I am porter to Mr. Reynolds. I was at the premises about half-past seven o'clock on this morning—the prisoner came to the house about half-past seven o'clock—he left me there, I did not leave him there—I did not see him take away any thing—he was doing the work of the morning in the warehouse—the bladders stood in the tierces in the warehouse—I did not watch him. NOT GUILTY.

NEW COURT.—*Wednesday, December 18th,* 1839.

Sixth Jury, before Mr. Common Sergeant.

340. DENNIS BURN was indicted for stealing, on the 13th of December, 1 cloak, value 10*s.*, the goods of John Nash; to which he pleaded GUILTY. Aged 43.—Transported for Seven Years.

341. GEORGE ROBINSON was indicted for stealing, on the 2nd of December, 4lbs. 10oz. weight of pork, value 2*s.* 6*d.*, the goods of Edward Lees; to which he pleaded GUILTY. Aged 18.—Confined Three Months.

342. HENRY MANNING was indicted for stealing, on the 2nd of December, 1 pair of boots, value 12*s.*; 1 knife, value 2*d.*; 2 yards of tape, value 1*d.*; 1 whetstone, value 2*d.*; 1 file, value 2*d.*; and 6 nails, value ½*d.*; the goods of John Shirvell; to which he pleaded GUILTY. Aged 17.—Confined Six Months.

343. JOHN ATKINS was indicted for uttering counterfeit coin; to which he pleaded GUILTY. Aged 30.—Confined Six Months.

344. JOSEPH GARDNER was indicted for stealing, on the 28th of November, 1 sheet, value 4*s.*; 2 petticoats, value 5*s.*; and 1 frock, value 3*s.*; the goods of Harriet Goldfinch; and that he had before been convicted of felony.

HARRIET GOLDFINCH. I am single, and live in Hyde-park-place, Vauxhall-bridge. I left a sheet, two petticoats, and a frock, about four o'clock on Thursday, the 28th of November, on a line to dry—I afterwards missed them—these are them—(*examining them.*)

MATTHEW MOORE (*police-constable B* 83.) I was on duty in Brewer-street, on the 28th of November, and met the prisoner, the moment he saw me he threw down this bundle, and ran away—I am sure he is the man.

Prisoner. Q. What can you swear to me by? *A.* I have repeatedly seen you—I have not the slightest doubt of you.

WILLIAM ANNANDALE (*police-constable B* 86.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 19.—Transported for Seven Years.

345. ELIZABETH DUNKS was indicted for stealing, on the 11th of December, 4 saws, value 1*l.*; 2 paring-knives, value 12*s.*; 6 barometer cisterns, value 1*l.* 16*s.*; 1 pair of compasses, value 1*s.*; and ½lb. weight of lead, value 2*d.*; the goods of John Page.

JOHN PAGE. I am a turner, and live in Peter-street, Saffron-hill. On Wednesday morning, the 11th of December, between three and four o'clock, I was called out of bed—I went to my back yard, and found these saws and paring-knives lying on the top of the water-tub—I went to the station-house, and there saw these six barometer cisterns and other articles, which are mine—they were in a shop, which was not locked.

THOMAS HARDY. Between three and four o'clock on the morning in question, I heard a dog bark—I went down, and heard a crash, as if tiles were breaking—I got a policeman, and got on the tiles, and drove somebody out of the door, as we supposed, but saw no one.

WILLIAM GRAY (*police-constable G* 199.) I was called, and saw the prisoner come out of No. 6, two doors from the prosecutor's, with a parcel, which she threw down—it contained these things.

Prisoner's Defence. I found them on the dust in the yard, when I went into the water-closet.

GUILTY. Aged 23.—Confined Six Months—The Last Week Solitary.

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346. ELIZABETH CROZIER was indicted for stealing, on the 1st of November, 1 sheet, value 4*s.*; 13 yards of silk, value 2*l.* 5*s.*; 1 printed book, value 1*s.*; and 3 yards of flannel, value 4*s.* 6*d.*; the goods of William Richard Chipperfield.

SUSANNAH CHIPPERFIELD. I am the wife of William Richard Chipperfield, a harness-maker, living at Uxbridge. The prisoner boarded and lodged with us—she assisted us in packing our things when we were going to remove—I have missed a sheet, some flannel, a book, and other things—I was present when a box of hers was searched, in New Gravel-lane, where she still lodged with us—the sheet and book were found there—she had no right to use them.

JOHN FREDERICK EDWARDS (*police-constable K* 115.) I searched the box—the prisoner was not present—it contained these things, and the prosecutor identified them—I took the prisoner, and asked if she had a box at New Gravel-lane—she said yes, she left one there—I asked if she knew about the sheet and things—she said, "No"—we have not been able to trace the silk.

ELIZABETH HONE. I am the wife of Richard Hone. I was sent for to search the prisoner at the station-house—I found on her ten duplicates and a piece of one, but not for these things.

Prisoner. I throw myself on the mercy of the Court.

NOT GUILTY.

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347. ELIZABETH CROZIER was *again* indicted for stealing, on the 11th of November, 1 shawl, value 17*s.*; 1 pair of decanters, value 1*l.*; 3 bowls, value 3*s.*; 14 weights, value 3*s.*; 3 ornaments, value 4*s.*; 1 table-cloth, value 2*s.*; 2 towels, value 6*d.*; 1 printed book, value 2*s.*; 1 warming-pan, value 7*s.*; and 1 basket, value 1*s.*; the goods of William Richard Chipperfield.

SUSANNAH CHIPPERFIELD. I am the wife of William Richard Chipperfield. I missed a shawl, a decanter, and other things—this decanter, and glass, and basket are mine—(*examining them.*)

WILLIAM HUGHES. I am a pawnbroker. I took in these things—I do not remember of whom—I have the duplicates of them.

ELIZABETH HOWE. I searched the prisoner, and found eleven duplicates on her, which I produce.

WILLIAM HUGHES. Here is part of the duplicate of the two decanters, and three ornaments, and the basket.

GUILTY. Aged 40.—Confined Six Months.

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348. ELLEN FIELD was indicted for stealing, on the 30th of November, 2 table-cloths, value 7*s.*; 2 sheets, value 7*s.*; 1 spoon, value 2*s.*; and 4 towels, value 2*s.*; the goods of Mary Hunt.

MARY HUNT. I live in Gower-place, Euston-square. The prisoner worked for me—I missed two table-cloths, two sheets, and one spoon, on the 30th of November—I spoke to her about them—she said she had not taken them—she afterwards told me she had only taken one pair of sheets and a spoon—these are my things—(*looking at them.*)

LOUISA BELLINGER. I am the wife of a confectioner in Oxford-street. The prisoner brought me two tickets of two table-cloths, and said they belonged to a poor woman in the country—I bought them of her, and got them out of pawn—I never lost any thing by her—she has worked for me.

HENRY HANCOCK. I am shopman to a pawnbroker in Grafton-street East. This tea-spoon was pledged, I believe, by the prisoner.

(The prisoner pleaded poverty.)

GUILTY. Aged 27.—*Recommended to mercy by the Jury and Prosecutrix.*—Confined Three Days.

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349. MICHAEL HENNESSEY was indicted for stealing, on the 8th of December, 1 pair of trowsers, value 5*s.*, and 1 pair of braces, value 1*s.*, the goods of Charles Butler: 1 handkerchief, value 1*s.* 6*d.*; 1 half-crown, 5 shillings, and 1 sixpence, the property of Charles Frederick Rathan.

CHARLES BUTLER. I am a carpenter, and live at the Adam and Eve public-house. The prisoner was billeted on my mother—he belonged to the 12th Regiment of Foot, and slept in our house—I lost a pair of trowsers and braces—these are them—(*examining some*)—they were in a drawer in my bed-room, which was not locked.

CHARLES FREDERICK RATHAN. I am pot-boy at the Adam and Eve public-house. I lost 8*s.* and a silk handkerchief—one of the shillings I can swear to—it was found on the prisoner—it appears to have been buried—the half-crown and 6*d.* I lost are not found—this is the shilling—I know it was in my box in my bed-room where the prisoner slept—my box was not locked.

Prisoner. *Q.* What time did you examine your money? *A.* On the Saturday afternoon, between four and five o'clock—I missed it at one o'clock on Sunday, after the prisoner was gone—I left him in bed when I got up on Sunday morning.

JOHN EATON (*police-constable S* 193.) I went after the prisoner, and found him at the Star steam-packet office, near London Bridge—he was going to Chatham, where some of the regiment lies—I asked if he did not sleep at a public-house—he said, "Yes, the Adam and Eve"—I told him what I wanted him for—he said, "Very well, I will go with you"—I searched his knapsack, and found the trowsers and braces, a purse, and 8*s.*, and this shilling was among it.

Prisoner's Defence. Three of our men were detained, I had to go to Chatham to go to the Isle of France, and this was my subsistence money which was taken from me—I acknowledge to having the trowsers, but the money is mine—I have been two years in the regiment—I went to bed about seven o'clock, and at half-past eight I went away—the door of the room was not locked.

GUILTY. Aged 34.—Transported for Seven Years.

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350. WILLIAM MAXWELL was indicted for stealing, on the 14th of December, 1 sovereign, the money of Andrew Brown, from his person.

ANDREW BROWN. I am a sailor, and live in Mill Dock, South Shields. About ten o'clock on the 14th of December, I went to the White Swan public-house, Ratcliff Highway—I met the prisoner, but did not know him—we got in conversation—he said he came from the Baltic, and had no money—I called for something to drink and eat—I fell asleep—I had two sovereigns, I changed one, and put the silver in my trowsers pocket—the other sovereign was in my waistcoat pocket—I cannot tell how long I slept, but when I got up I went out to the corner of Union-street, and missed my money—I came back and asked about it—it was produced afterwards.

HENRY POWELL. I was in the Swan public-house, and saw the prisoner sitting by the prosecutor's side, trying to awake him—I asked what business he had with him—he said he was a shipmate of his—I said he had better be off and let him sleep to make him sober—not long after that I was at another bench, and the prisoner crossed over to me and offered to toss for a quartern of gin, which I won—he went down, and brought up half-a-pint of gin, and offered to treat the girls that were with me to brandy or anything—the prosecutor afterwards came back and said he had lost a sovereign.

HENRY PETER ROW. I was in the public-house, and saw the prisoner sitting by the side of the prosecutor, between ten and eleven o'clock—he kept shaking him—he had his elbow against him, and kept putting his hand to his waistcoat—I told him to let him lie—he said he wanted to take him home—I found he did not know him, and asked how he could take him home.

JOHN ANDERSON. I am waiter at the Swan public-house. The prisoner came to the bar for half-a-pint of gin—he threw down a sovereign—I gave him change in four half-crowns, 9*s.*, and 4*d.*

JAMES MALIN (*police-constable K* 99.) I took the prisoner, and found on him four half-crowns, 5*s.* 6*d.*, and 2*d.*

Prisoner's Defence. I met this man, and went into the White Swan public-house—he asked me if I had money—I said, "No," on account of ten or twelve prostitutes being there, but I had a sovereign in my pocket all the time—he asked me to have a share of a pot of beer—I sat opposite to him, and he fell asleep—I then bought some gin, and went to the King William public-house, where they came and took me.

GUILTY. Aged 19.—Confined Six Months.

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351. JOHN KENT was indicted for stealing, on the 30th of November, 4 bushels of oats, value 14*s.*, and 1 sack, value 2*s.*; the goods of William West.

ELEA NOVELL. I keep a tobacconist's shop, near the Nightingale public-house, in Hornsey-road—I had some sacks of oats in my cart on

the 30th of November, about half-past five o'clock in the afternoon, I was coming up St. John-street-road—I turned my head, and found the prisoner and another man had taken a sack off the cart—they were William West's oats and sack—I stopped the horse and went after them—they let go the sack, and ran away—they were taking it away—I am sure the prisoner is the man—he ran down Brunswick-street, where there is no turning, and was taken—the sack contained four bushels of oats.

Cross-examined by MR. BALLANTINE. *Q.* Who is Mr. West? *A.* He lives next to the Horse and Groom public-house, Upper Holloway—I fetched the oats from the wharf for him—they had been bought for him—the prisoner was about a yard from the back of the cart—I saw no one take it from the cart—it was pretty dark, and rather foggy—there were three gas-lamps near where the prisoner ran—he turned and looked at me about twenty yards from the cart—I think I have seen him before—I saw the other man's face, but I should not know him again—I charged no one else with this—a crowd gathered when I hallooed "Stop thief"—I know it was oats as I saw them put into the sack—the other man ran away, but he ran straight forward.

THOMAS PHILLIPS. I was in John-street, and heard Novell call out "Stop him"—the prisoner was the only one running—I went after him—he went down Brunswick-street and pulled off his frock, and came back—I am sure he is the man.

Cross-examined. *Q.* Had you the advantage of three gas lamps? *A.* Yes—it was a fine clear night—I caught him, and gave him into custody—I did not ask whether he was the man.

FREDERICK CHAPEL (*police-constable G* 221.) I took the prisoner, and found a round frock under his arm—he said, "It is not me"—I said, "What made you run away?"—he said, "Because you should not think it was me."

JURY *to* ELEA NOVELL. *Q.* Did you see the prisoner have hold of the sack? *A.* Yes, he was then about two yards from the cart—I stopped the horses, and then they put it down and went off—when they got to the gas-light, they turned and looked at me—the sacks were standing up in the cart—the tail-board was not half-way up the sacks—the side of the cart is higher than the tail-board—the tail-board was upright—it is not likely the sack would fall out—the one taken was the one nearest the tail-board—I lost sight of the prisoner—when I first saw him he had a smock-frock on—when I saw him again he had not got it on.

COURT. *Q.* What sort of a cart was it? *A.* A dung-cart. It was impossible for the sacks to have tumbled out—the tail-board would have kept them in, as it was quite safe—the sacks were about four inches from it—they were upright, and rather inclined to lean forwards—I was going towards Holloway—there was wet on the ground—I took up the sack—there was no appearance of its having been dirty, other than the side where it was thrown down.

MR. BALLANTINE. *Q.* Would there have been any difficulty of reaching one out? *A.* No—I will swear there was no dirt, except on one side, or I should have felt it—I did not observe it particularly—I will not swear that the other side was not as dirty as the one on which it had fallen, nor that the upper side was not dirty, but if it was I should have seen it.

GUILTY.* Aged 28.—Transported for Seven Years.

352. JOSEPH MARTINI was indicted for stealing, on the 15th of December, 1 tobacco-box, value 8*d*., the goods of William Patterson; and that he had been before convicted of felony.

WILLIAM PATTERSON. I keep a tobacconist's shop in Hand-court, Holborn. About eight o'clock, on the 15th of December, from information I received, I went and found the prisoner at the window—I supposed him to be amusing himself with a straw he had in his hand—he was looking at the boxes—in a few minutes he left, and passed me as I stood at the side-door—I did not suspect he had robbed me—I went to the window to see what could have attracted his attention, and to my surprise I found a space of about six boxes vacant, they had been taken through an aperture which had been made accidentally—I went after him, but could not see him—I came back and went into my sitting-room—about half an hour after, I heard some boys cry out, "You *Bob*, with your hand in the gentleman's fob"—I went out, walked up the court, and saw the prisoner with four others—they then parted towards Red Lion-street, and from thence to Holborn—I met a policeman and told him, he took the prisoner—he told me the prisoner threw a box down, and I took it up—in going along he exclaimed he had thrown something out of his pocket—a light was got, and a china bowl was taken up, which was broken—this box and this bowl are mine, they were taken out of my window.

JOHN FRIER (*police-constable E* 116.) I took the prisoner—I saw him throw down this snuff-box, and heard this bowl fall.

Prisoner's Defence. I was coming down—I saw this snuff-box on the ground—I was going home, and the policeman took me.

EDWIN BENNETT (*police-constable E* 94.) I produce a certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 18.—Transported for Seven Years.

353. SARAH BASTENIEON was indicted for stealing, on the 15th of February, one half-sovereign, the money of James Burden.

JAMES BURDEN. I keep the King's Head public-house, East Cheap. In February last, the prisoner came and asked for a bottle of port wine—I served her—she asked for change for a sovereign, with a half-sovereign, which I laid on the counter—she then said she wanted an inferior sort of wine, and while I was looking for it she walked out of the house with the half-sovereign—I have very little doubt she is the person, but I will not swear to her.

NOT GUILTY.

354. SARAH BASTENIEON was *again* indicted for stealing, on the 26th of November, one half-sovereign, the money of John Siely.

JOHN SIELY. I keep the Duke's Head public-house, in Whitechapel. At a quarter to seven o'clock, on the 26th of November, the prisoner came in and called for a bottle of port wine—I went into the cellar, fetched it up, and placed it on the counter—she said, "Can you oblige me with change for a sovereign, and give me a half-sovereign?"—I placed a half-sovereign on the counter—she took it up and said, "I want a bottle of soda-water"—I placed it on the counter—she said, "I am sorry to give you so much trouble, it is a pint of wine I want"—I said, "Give me the sovereign you want to have changed"—she said, "I think I have silver enough"—I said, "You have my half-sovereign"—she said, "I have no sovereign"—I snatched the purse out of her hand, and found in it the half-

sovereign I had seen her put in, and 1*s.* 6*d.*—she ran out, I followed and brought her back, and gave her in charge.

Prisoner. The half-sovereign was not in the purse, it was in my hand.

Witness. It was in the purse.

GUILTY. Aged 20.—Confined Nine Months.

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355. ELIZABETH SMITH was indicted for stealing, on the 13th of December, 33 yards of flannel, value 2*l.* 9*s* 6*d.*, the goods of Walter Brown Pretty.

WILLIAM DYKER. I am shopman to Walter Brown Pretty, a linen-draper, in Goswell-road. About six o'clock on the 13th of December, a lady gave me information—I ran out, and saw the prisoner on the opposite side, running with this flannel—I cried, "Stop thief!" and she immediately threw it down—she was taken immediately after—I am sure she is the person—this is the flannel—(*examining it*)—it had been inside the door.

CHARLOTTE GREEN. I was looking into the shop—I saw the prisoner take the flannel.

Prisoner. I leave it to the mercy of the Court.

GUILTY. Aged 19.—Confined Three Months.

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356. CHARLOTTE DORLEY was indicted for stealing, on the 15th of December, 1 bonnet, value 5*s.*; 2 pairs of stockings, value 1*s.* 6*d.*; 2 petticoats, value 2*s.*; 1 cloak, value 5*s.*; 1 apron, value 6*d.*; 1 bed-gown, value 1*s.*; and 1 shirt, value 6*d.*; the goods of Henry Brett, her master.

HENRY BRETT. I am a gun-maker, and live in Mortimer-street, Marylebone—the prisoner was my servant. On the 15th of December I and my wife left the house about one o'clock—we returned about seven o'clock, and the prisoner was gone—I missed these things.

JANE WATERS. On the 15th of December the prisoner brought two bonnets, and some other things to me—she told me she had left her situation, that her master and mistress had been quarrelling and fighting, and her mistress had given her this cloak and bonnet in the room of wages—she had tea with me, and we went out in the evening to a beer-shop—we were there a short time—her sister came in and called her out—I soon after went out, and saw her sister crying, and she told me the things were stolen.

JOHN BURT (*police-constable S* 88.) About eleven o'clock I took the witness Waters—I took the prisoner at half-past two o'clock, and found on her this cloak, bonnet, and apron—the other things were at Waters's.

MARY ANN BRETT. These are my things.

(The prisoner received a good character, and the prosecutor engaged to take her again.)

GUILTY. Aged 17.—Confined Three Days.

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357. RICHARD SMART was indicted for stealing, on the 1st of November, 4 watch-wheels, value 2*s.* 6*d.*; 4 watch-pinions, value 2*s.* 6*d.*; and 1 portmanteau, value 3*s.*; the goods of William Charles Price: 2 watchmakers' tools, value 9*d.*; 1 watch-dial, value 2*s.*; 1 watch-frame, value 5*s.*; and 1 watch-barrel, value 2*s.*; the goods of George Dent, his master.

WILLIAM CHARLES PRICE. I am a watch-maker—I work with Mr. Dent, in St. John-street. I missed the portmanteau about a fortnight ago—I saw the watch wheels safe about four months ago—the prisoner worked at the same shop—these are my wheels and portmanteau.

Cross-examined by MR. PAYNE. *Q.* Had you ever let the prisoner have this portmanteau? *A.* No—I cannot say whether he was in the habit of taking it with his clothes—it was in Mr. Dent's apartment—I never allowed him to have it for any work he did for me—he never pledged some bolts and pinions for me—I swear that, and that I never said I would *serve him out*, and be revenged on him—I do not know Eliza Susan Furniss—I know the prisoner's sister—I kept her company—I was married at that time, and she knew it—I was living away from my wife—I did not tell her if she gave up my company I would *serve* her brother *out*—I did not say so in Easter-week—I do not live with my wife now—the prisoner was intimate with me and Mr. Dent—we never went fishing together, nor to any public-house—I do not remember Mr. Dent giving up the prisoner's indentures—he ceased to serve him as an apprentice about the 11th of November.

GEORGE DENT. The prisoner was my apprentice. I have lost two tools, a watch-frame, and other things—I missed them about a fortnight since—these are them.

Cross-examined. *Q.* Were they never given to the prisoner to make a boat to go by watch-work? *A.* Certainly not—I and Price were very intimate—I treated the prisoner with respect—he was my apprentice—when taken before the Magistrate I said he was so, but he absented himself from me for about five weeks—on the 11th of November I had given up all claim to him as an apprentice, and given him a paper to that effect—I had two persons in the house of the name of Simco—no young woman—I do not know how long the prisoner had been living at his father's house when I charged him with taking these things—I went with the officer, on the 6th of December, and found him there—I asked where the portmanteau was, and he pointed out where it was, and the wheels were lying openly about—the portmanteau was not concealed—he first said Mr. Price lent it him to go fishing, and then he said to take his clothes home, but I have seen him come in, and have never seen him bring it in—he has brought his clothes in a blue handkerchief—the whole of this property is worth about 1*l.* 12*s.*—I can swear to these articles, which are mine.

JOHN JAMES BARNARD (*police-constable G* 110.) I went to the prisoner's father's, and found him there—the prosecutor found these things on a work-bench at the back parlour window.

Cross-examined. *Q.* I believe you asked him where the portmanteau was, and he went down below and pointed it out? *A.* Yes.

MR. PAYNE *called*

ANN SMART. I am the prisoner's sister, and am in the service of Mrs. Ellis, of Goswell-road. I was living at my father's previous to my going to service—I remember the prisoner having a portmanteau there—I saw it eighteen months ago—he used to bring it home to take his clothes in—I know the witness Price paid attention to my sister, and my father did not hold with it, he being married, and having a child.

JAMES SMART. I am the prisoner's brother. I live with my father at Britannia-row—I have repeatedly seen this portmanteau in our place, for two years—it used to come backwards and forwards repeatedly—he used to take it when he went fishing, to put his provision in—he used to bring it home on Saturday night, and take it back on Sunday—I have seen these wheels about at my father's—my brother was making a boat to go by wheels.

ELIZA SUSAN FURNISS. I am the prisoner's sister—I am the wife of Mr. Furniss—I was married last September—previous to that Price had paid attention to me—my father forbid him to come when he found he was married—Price said to me in the Easter week that if I gave up his company he would *serve* my brother *out*.

NOT GUILTY.

358. WILLIAM GRAY was indicted for stealing, on the 1st of December, 1 pair of trowsers, value 5*s*.; 2 pairs of socks, value 2*s*.; 1 shirt, value 4*s*.; 20 pieces of canvass, value 8*s*.; and 1 pint of mustard seed, value 4*d*.; the goods of James Gulley.

JAMES GULLEY. I am a labourer, and live in Field-lane, Saffron-hill. The prisoner lodged in the same house—the articles stated were in a bundle locked up in the cupboard of my room—I saw them all safe on the Friday and missed them on Sunday morning, the 1st of December—on that evening some of the articles were produced to me by Estcott, but the trowsers and shirt have not been found—as the officer was taking the prisoner to the station-house, I was walking behind—he said he would make a compromise with me—his father would work night and day to make it up rather than he should go to prison.

WILLIAM ESTCOTT. I live in Field-lane, and am servant to Mr. Nightingale—the prosecutor and the prisoner slept there. I found a bundle of these things on the landing of the stairs after there had been a noise about it—there are about twenty lodgers there.

JAMES NIGHTINGALE. I keep the house—I went to the prisoner's bed on that Sunday and found some mustard seed under it.

NOT GUILTY.

First Jury, before Mr. Common Sergeant.

359. WILLIAM GRAY was indicted for stealing, on the 29th of November, 1 skittle-ball, value 5*s*., the goods of Samuel Hobson.

SAMUEL HOBSON. I keep a turner's shop in Long-lane. This is my skittle-ball—I lost it in November from my window.

JURY. *Q*. Have you sold it? *A*. I may, but I am not aware that I have.

NOT GUILTY.

360. WILLIAM GRAY was *again* indicted for stealing, on the 30th of November, 1 apron, value 10*d*.; the goods of Richard Harling Comyns.

RICHARD HARLING COMYNS. I am a currier, and live in Barbican. I sell leather aprons—I believe there was one lost from the door on the 30th of November—I cannot say whether this is it.

NOT GUILTY.

361. JOHN MAPHAM was indicted for stealing, on the 16th of December, 7½lbs. weight of tobacco, value 1*l*. 10*s*.; 3lbs. weight of snuff, value 12*s*.; and 3 cannisters, value 1*s*.; the goods of Francis Lloyd and others, his masters; to which he pleaded

GUILTY. Aged 52.—Confined Three Months.

362. JOSEPH KING was indicted for stealing, on the 15th of December, 1 pair of shoes, value 4*s*.; the goods of William Adams; to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

363. FREDERICK PARSONS was indicted for stealing, on the 7th

of December, 1 shilling and 1 sixpence, the monies of Adam Hagemeir, his master, to which he pleaded

GUILTY. Aged 19.—Confined Six Months.

364. CHARLES BRIDGES was indicted for stealing, on the 15th of December, 7 shillings; 1 sixpence; 1 groat; and 4 pence; the monies of James Swaine, from his person:—also, on the 15th of December, 1 bag, value 1*d.*, 5 sovereigns, 2 half-sovereigns, 4 half-crowns, 30 shillings, and 40 sixpences; the property of James Swaine; to both of which he pleaded

GUILTY. Aged 19.—Confined One Year.

365. JOHN WILLIAMS and WILLIAM BROWN were indicted for stealing, on the 4th of December, 6 feet of lead pipe, value 3*s.*; 2 ball cocks, value 6*s.*; the goods of George Farmiloe, and fixed to certain buildings: and two knives, value 6*s.*; 2 forks, value 4*s.*; and 1 metal cock, value 1*s.*; the goods of Amelia Lovell. 2nd COUNT, stating them to be the goods of George Farmiloe, and not stating them to have been fixed.

GEORGE RICHARDSON. I live in Lansdown-place, London-field, Hackney. On the 4th of December I was called to examine the premises, and I found the lead pipe had been cut from the water-butt—about four feet of pipe and the ball cock were taken away—they were the property of George Farmiloe, my landlord, and were fixed—I saw the pipe which the officer brought fitted to what was left, and I think there is not a doubt that it came from there.

SARAH HARRISON. I am servant to Mrs. Amelia Lovell, of Lansdown-place. At half-past seven o'clock in the morning of the 4th of December I came down stairs—the water was running away, and the brass tap had been cut off—we missed two knives and forks and a beer-tap—the policeman brought the articles—they are Mrs. Lovell's.

ROBERT PAINE (*police-constable N* 247.) I was on duty on the 4th of December at half-past three o'clock in the morning, and met the prisoners about one hundred and fifty yards from the prosecutor's house—as soon as they saw me they turned and went back—I overtook them and asked what business they had there—they said they had been out drinking—I found this pipe on Williams, and these other things on Brown.

Williams's Defence. I kicked against a bundle—these things were in it—I gave my fellow-prisoner part of them.

WILLIAMS—GUILTY. Aged 20.—Transported for Seven Yaers.

BROWN—GUILTY. Aged 24.—Confined Six Months.

366. RICHARD GREEN was indicted for stealing, on the 13th of December, 1 hamper, value 1*s.*; 1 bottle, value 6*s.*; and 6 gallons of spirits of wine, value 5*l.* 14*s.*; the goods of William Graves.

WILLIAM BAKER. I am in the service of William Graves, the Muswell-hill and Hornsey carrier. I took an order to Mr. Bowerbanks, of Sun-street, Bishopsgate, on the 13th of December, about half-past five o'clock, and received six gallons of spirits of wine in a hamper—I placed it behind my cart, and tied it with a cord—it was to go to Mr. Morrison, in Hornsey-road—I saw it safe when I was at the White Horse public-house, in Fore-street, Cripplegate—I then went to Whitbread's brew-house, in Chiswell-street—I went into the brew-house with two sacks, and when I came out the hamper was gone—I had left a boy with my cart.

Cross-examined by MR. BALLANTINE. *Q.* Is the boy here? *A.* No—I have been twelve months with my master—Mr. Morrison employed me to get this—I took the empty bottle from him—he would have had to pay us 8*d.* for doing this.

WILLIAM HAYWARD. I live in King's Head-court, Lower Whitecross-street. About half-past five o'clock on the 13th of December I was in Whitecross-street, and saw the prisoner carrying this hamper towards Lower Whitecross-street, from the direction of the brewery—I followed—he placed it inside the lobby of a public-house, and stood before it—he then ran—an officer followed him —I went back and secured the hamper —I am sure he is the man.

Cross-examined. *Q.* How far were you from him? *A.* Three or four yards—he was ten or twelve yards from the brewhouse.

JOSEPH HARBEN. I filled the hamper with the bottle of spirits, and gave it to Baker—I know the bottle by three stamps on it.

JOHN STAINS (*City police-constable, No.* 389.) I was on duty in Beech-street, and heard a cry of "Stop thief"—I looked, and saw the prisoner running, closely pursued by an officer—I overtook, and secured him—the officer came up, and said, "That is the man, I will go and look after the property"—the prisoner denied all knowledge of the basket.

DANIEL COLLINS (*police-constable G* 63.) I was on duty by the brewhouse, and saw the prisoner on the opposite side, with this hamper in his arms—I pursued, and the other officer took him.

(The prisoner received a good character.)

GUILTY. Aged 32.—*Recommended to mercy.*—Confined Three Months.

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367. JOHN JONES was indicted for stealing, on the 14th of December, 3 lbs. weight of mutton, value 1*s.* 6*d.*, the goods of James Richards; and that he had been before convicted of felony.

JAMES RICHARDS. I live in the Horseferry-road, Westminster, and am a butcher. On the 14th of December the policeman brought some mutton, which I examined—I could not swear to it—I suppose it was mine.

Cross-examined by MR. BALLANTINE. *Q.* How many breasts of mutton had you? *A.* I had only two on the board—I had not missed it before the policeman brought it back.

JOHN FREDERICK BOHN (*police-sergeant B* 11.) On Saturday night, about twelve o'clock, I was in Horseferry-road—I saw the prisoner take a breast of mutton off the prosecutor's show-board, and run away with it—I caught him in my arms, and took him back with it.

Cross-examined by MR. BALLANTINE. *Q.* You were close to him? *A.* About twenty yards off—I never lost sight of him—he was quite sober.

ROBERT SUTTLE (*police-constable S* 87.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 19.—Confined Six Months.

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368. GEORGE WEBB was indicted for stealing, on the 11th of December, 1 pair of reins, value 2*s.*, the goods of Matthew Pitman.

RICHARD PHELPS. I am carman to Matthew Pitman, a coal-merchant, near Fitzroy-square. I had a pair of reins on a horse in the Horseferry-road on the 11th of December—while I was away for about five minutes they were taken off the horse.

HENRY HUGHES (*police-constable B* 145.) I was on duty about half-

past six o'clock that evening—I stopped the prisoner in Castle-lane with this pair of reins—Phelps has identified them.

GUILTY. Aged 34.—Confined Six Months.

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369. MICHAEL SHEEAN was indicted for stealing, on the 15th of December, 1 shilling, the money of John Camroux, from the person of Frederick William Walker.

JOHN CAMROUX. I am a fancy painter, and live in Half Nichol-street, Bethnal-green. I gave Frederick William Walker, my nephew, a shilling to get some treacle—I went after him, and found him in Church-street—I went with him to Christopher-street, Bethnal-green, and the prisoner was given into custody.

SARAH WHITTEN. I am a widow, and live in Christopher-street. About eleven o'clock, on the 15th of December, I went to No. 1, Christopher-street, where the prisoner lives with his mother—I heard his brother say, "*Mike* has found a shilling"—I said, "He is lucky"—his brother held it to me—I saw it—it was a new one—I jinked it on the table—I went out, and my daughter said a little boy had lost a shilling—I came down again—I saw the mob, and the prisoner's mother said, "This is the woman that I gave the shilling to"—I said, "Yes, it was a new one."

HENRY COTTON (*police-constable H* 60.) I went to No. 1—I saw the prisoner and his mother there—the prisoner said he had not been out of the house at all—his mother said, "Yes, you have; you brought this shilling home to me"—Whitten was present, and she said she jinked it on the table—the little boy pointed the prisoner out from five others, and said, "That is the boy that took the shilling from me"—the prisoner's brother was there—he is rather taller than the prisoner—I said, "Is not this the one?"—the little boy said, "No, it was the prisoner."

(The prisoner received a good character, and a witness promised to employ him.)

GUILTY. Aged 14.—Confined Four Days.

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370. MARY ANN HAWES was indicted for stealing, on the 9th of December, 1 necklace, value 2*s.* 6*d.*, the goods of Ralph Hart.

RALPH HART. I keep a broker's shop in Peter-street, Holborn. On the 9th of December the prisoner came to my shop-window, and asked the price of a picture—I told her—she went away—she came in ten minutes, and asked the price again—I said, "I have told you," and she went away—she came a third time, and pointed with one hand to the picture, and with the other she took this necklace—I came round, and said, "You have stolen a necklace"—she said, "I have not," and at the same time she threw it on the ground and walked away—I picked it up and took her—she did not examine it—she did not take it to look at.

Prisoner's Defence. I did not take it at all—it fell down—I did not have it in my hand.

GUILTY.** Aged 13.—*Recommended to mercy by the Prosecutor.*

Confined Three Months—The last Week Solitary.

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371. WILLIAM BLISS was indicted for feloniously receiving, of a certain evil-disposed person, on the 30th of November, 7 sacks, value 2*s.*, the goods of Josiah Wilson, well knowing them to have been stolen; against the Statute, &c.

JOSIAH WILSON. I am a market-gardener, and live at Enfield-highway.

I have lost, in the last three months, from fifty to one hundred sacks—the two sacks now produced are mine—they have my name in full on them.

Cross-examined by MR. PHILLIPS. *Q.* Have you been in the habit of selling old sacks? *A.* No, I do not know that I ever sold any, or allowed them to be sold—I am sure of that—it is not true that I might have sold them within the last two years—the Magistrate asked if I had not sold any within a month or so, and I said, "No, not for the last two or three years"—this is my hand-writing to this deposition—I have not sold any sacks within the last two years—I said so—he asked me for a certain time, and I I said two years—I have a man named Hagger—he is at work now in my garden—one of my men, named Wackett, was taken to the office—he came to work two or three days after that time, and he has left me—one of my men, named Warner, was taken at a beer-shop, but he ran away—I have not seen him since—they have been trying for him—I went to his wife, and told her if she knew where he was, to tell him to come to the office—I never searched for him—she promised he should come in the morning, and it was put off from that night—next morning he was to go and state what he knew—I sent no constable for him—it was after his escape I went to his wife—it was not to tell her to tell him to keep out of the way—I cannot say whether I intended to take him into my employ again—I did not mean to take him again—I do not know that he is a thief—I know that he escaped from a constable—if it is proved that he has nothing to do with this I will employ him again—the constable said Bliss was taken, and I understood that Warner was in it—he said he must be taken—I said I knew nothing about it—the Magistrate said he must be taken, but I had not been there, and the officer had an order to take Warner—I said, "Very well, you must do your duty"—he went into a beer-shop, and said, "Warner, I must take you," and, after a little while, Warner braced up his shoes, and went out at the door, and walked a little while, he then ran away from him—I have not seen him since—the officer was to take him for selling sacks to the prisoner—his wife declared, at my house, it was not Warner that sold them, but a person named Wackett—he was taken, and the Magistrate said there was no evidence to prove he sold them, and he might go about his business—he said, "What am I to do, master?"—I said, "If you are innocent, you may go to your work"—Warner was in custody of two constables.

JOHN GUIVERS. I am a constable of Enfield. Mr. Wilson gave me instructions to take some one—I saw Mr. Field, a carpenter—he pointed out a sack—I searched it and found two sacks, marked "Josiah Wilson," and on further search, I found five more old sacks, but I could not discern the name—I put them in the sack again, taking away the two that had the name—I gave them to Mr. Field—I took the prisoner as he came up to me at the time I was untying the sacks—he said, did I want to search the sacks—I said, "Yes"—I asked him where he bought them—he said, "Of a man named Hagger," and then in a minute he said, "Of the name of Warner"—I said, "I must take them"—on that Saturday evening Watkins and I went in search of Warner, and found him in a beer-shop—he came out—it was dark, and he ran away. NOT GUILTY.

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372. JOHN WILLIAMS was indicted for stealing, on the 16th of December, 4 lbs. weight of plums, value 2*s.* 10*d.*, and 1 box, value 2*d.*, the goods of Charles Simpson.

CHARLES SIMPSON. I live in Chapel-street, Marylebone. The box produced, containing Sultana raisins, is mine—it is worth 3*s.*—I saw it safe on the morning of the 16th of December.

DENNIS CORBETT. I live in Great Barlow-street. I was going through Lisson-street, at a quarter-past five o'clock on the 16th of December, and saw the prisoner take the plums from the prosecutor's shop—I went and told the policeman.

Prisoner. This boy was looking in at the window with another, and he said, "We are after the raisins." *Witness.* That is not true.

GEORGE NORGIN (*police-constable D* 71.) I received information, went down Mitchell-street, and the prisoner and another were kneeling down, shaking the plums out of the box into a handkerchief—I took the prisoner.

GUILTY. Aged 17.—Confined Three Months.

Fifth Jury, before Mr. Recorder.

373. JAMES BROWN was indicted for stealing, on the 16th of December, 1 loaf of bread, value 4½*d.*, the goods of William Watson, to which he pleaded

GUILTY. Aged 17.—Confined Three Days.

374. ANN FULLER was indicted for stealing, on the 14th of December, 1 veil, value 15*s.*; 1 pair of ear-drops, value 2*s.*; 3 rings, value 4*s.*; 1 heart, value 6*d.*; 1 gown, value 8*s.*; 1 writing-desk, value 1*l.*; 1 tea-caddy, value 3*s.*; 1 shawl, value 1*l.*; 1 boa, value 1*l.*; 1 pair of boots, value 2*s.* 6*d*; 1 penny, and 6 half-pence, the goods of Samuel Allen, to which she pleaded

GUILTY. Aged 17.—Transported for Seven Years.—Penitentiary.

375. JANE GALLAGHER was indicted for stealing, on the 17th of December, in the dwelling-house of John Ravenhill, 9 rings, value 16*l.*; 2 necklaces, value 1*l.* 17*s.*; 2 pairs of ear-rings, value 15*s.*; 4 pairs of bracelets, value 2*l.* 15*s.*; 2 brooches, value 16*s.*; 1 eye-glass, value 1*l.*; 1 neck-chain, value 10*s.*; 1 reticule, value 2*s.*; 1 waist-ribbon, value 1*s.*; 3 gowns, value 6*l.*; 1 pair of stockings, value 3*s.*; 1 box, value 2*s.*; and 4 5*l.* Bank-notes, the property of Elizabeth Lynn: and that she had before been convicted of felony; to which she pleaded

GUILTY. Aged 21.—Transported for Ten Years.

376. JAMES EVANS was indicted for stealing, on the 15th of December, 1 lamb, price 1*l.* 8*s.*, the property of Eliza Brook.—2nd COUNT for killing the same, with intent to steal the carcass; and that he had been before convicted of felony.

SAMUEL CRAMPTON. I am bailiff to Mrs. Eliza Brook, a widow, who has a farm at Friern Barnett. I saw her lambs safe about ten o'clock in the morning, on Friday, the 13th of December, and on Saturday afternoon, the 14th, I sent a boy to count them, and he told me they were all right—on Sunday morning, I went to give them some hay, and I missed one lamb—I searched to see if I could find it, as I thought it was hung in the bushes, but could not—I then searched for footsteps, but could not find any till I came to a gap in the hedge, and there I saw the marks of the feet of the lamb over the gap—I then traced it across three or four fields, and up to the prisoner's door—there are no other inmates in his house but his wife and family—his eldest son is seven or eight years old—I went to the policeman—we went to the house and found the lamb, the skin,

the head, the entrails, and part of the breast was cooked—this is the skin—(*examining one*)—it is the skin of the lamb I lost, and is the property of Eliza Brooks—here is the red mark on it.

Prisoner. There are thousands of sheep marked in this manner—there is no pitch-mark on it. *Witness.* Here is the head of the lamb, and that I could swear to from a thousand—it was a particular lamb that I had in the flock, and a very handsome one.

THOMAS MAY (*police-constable S* 50.) I went to the prisoner's house—there are no lodgers there—I saw this head and skin found, and part of the meat, and some cooked meat—I observed the traces from the field to the prisoner's door.

JOHN SMITH. I am a horse-patrol. I went with the officer and the witness on the Sunday, and traced the sheep to the prisoner's door—I requested to search the house, and found a breast of mutton cooked, and a quantity of fat on a plate in the cupboard—I asked the prisoner how he came in possession of the mutton that was cooked—his wife said they bought it at Southgate—I looked about, and in a secret place I found the rest of the lamb hanging up, the head by the side of it—in a pan there were two quarts of congealed blood, and under the pan the entrails of the sheep rolled up in the skin—it was in a secret cupboard in a dark part—I could not at first find any way into it—I pulled with all my strength, and a button gave way inside the door—it was latticed up to let air in, and fastened in a way I never saw before—the lamb was not quite cold.

JAMES GIBBS. I was desired to go and count the sheep on the Saturday, and they were all right—there were fifty-one—I counted them three or four times—and on Sunday one was missing.

JOHN MILLER. I am a carrier. I was a constable—I was present at the prisoner's former trial in this Court for stealing a calf—he received sentence of death, but it was altered to one year's imprisonment, and to be whipped—I produce the certificate of his conviction from Mr. Clark's office—(*read.*)

GUILTY. Aged 50.—Transported for Fifteen Years.

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377. GEORGE PAGE was indicted for stealing, on the 12th of December, 1 pewter pot, value 1*s.*, the goods of William Best; 3 pewter pots, value 3*s.*, the goods of Thomas Sanders; and 1 pewter pot, value 1*s.*, the goods of William Allder.

WILLIAM BEST. I live in Queen Ann-street, Marylebone, and am a publican. On the 12th of December the prisoner was brought to my house with a bag of pots, one of which is mine.

THOMAS COURTNEY. I am a servant, but am out of a situation. On the 12th of December, I was in a shop opposite Mr. Best's, buying some tea and sugar—a person said, "Look round, there is a man putting one of Mr. Best's pots into his bag"—I ran out, collared the prisoner, and said, "You have got one of Mr. Best's pots in your bag"—I took him to Mr. Best's, and into the parlour—Mr. Best sent for an officer—there were eight pots in the bag.

JOHN HARRISON (*police-constable D* 32.) I was called to Mr. Best's on Thursday last, about two o'clock—I went into the parlour—the prisoner was sitting down, and this bag, containing eight pots, was on the table—one of them is Mr. Best's.

THOMAS SANDERS. I keep the Rose public-house in Wimpole-street. Three of these are my pots.

WILLIAM ALLDER. I keep the Buffalo's Head public-house in the New Road. One of these pots is mine.

Prisoner's Defence. I had been up to Portman-square, and waited three-quarters of an hour to see a person—he did not come—as I was going back I met a young man who had formerly lodged with me—he asked if I was in work—I said no—he had this bag, and told me to carry it to the corner of Shepherd-street, and he would give me 6*d.*—I was going along with it—I found they were pots, and the witness came and took me.

STEPHEN PERDRIAN (*police-constable D* 80.) I know the prisoner—I had him in custody in October, for stealing a basket of bread—I took him to the station-house, and found this bag concealed on him—he had one month in the House of Correction, and after he got out of prison he came and got the bag again, and this is the bag he had these pots in—I was a witness on his trial, and produce the certificate of his conviction from Mr. Clark's office—(*read.*)

GUILTY. Aged 37.—Transported for Ten Years.

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378 JAMES MURPHY was indicted for a misdemeanor.

JOHN DALTON. I am in the employ of Richard Whitlam, a potatoe-salesman, in Covent-garden market. On the 28th of November, I sold Mr. Gardner three dozen of savoy cabbages—he did not take them with him—he left them—the prisoner came in about ten minutes and said, "I am come for Mr. Gardner's three dozen of savoys, as his young man is not at home"—I delivered them to him, believing that to be the case, and he went away with them.

Prisoner. Q. Was there any one beside you who saw me? Q. You had been in and out—my mistress had seen you—I have had no quarrel with the prisoner.

THOMAS GARDNER. I live in Drury-lane, and am a green-grocer. On the 28th of November, about eleven o'clock in the morning, I bought the savoy cabbages of Dalton—I did not authorize the prisoner to bring them to me, nor did he bring them—he has not brought me any this two or three years, but he knew me well, and has worked for me—they gave me a description of him, and when I saw him he ran away—I ran and caught him—I did not see him the day I bought these cabbages.

THOMAS BLOSSETT. I am beadle of Covent-garden market. On the 30th of November I received charge of the prisoner.

GUILTY.* Aged 65.—Confined Three Months.

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379. CHARLES AINOT was indicted for stealing, on the 16th of November, 1 watch, value 12*l.*; 1 watch-chain, value 15*s.*; and 1 watch-key, value 5*s.*, the goods of Charlotte Camble.

(*The prisoner representing that he could not understand the English language, and that he was totally deaf, the evidence was communicated to him by being reduced to writing in the French language.*)

CHARLOTTE CAMBLE. This watch, chain, and key are mine (*examining them*)—I purchased the watch in May last at Mr. Thomas Hawley's, in the Strand—the whole cost me about fourteen guineas—I met the prisoner in Leicester-square about three weeks ago—I think it was three weeks last Saturday—he was at that time a stranger to me—he did not speak to me in the street, nor did I speak to him—he gave me to understand that I was to go home and he would follow me, but he did not speak—we did not speak till we got to the house together, which is on the other side of the square—

we went to No. 3, Little St. Martin-street—I went in first—he followed me—I had never been there before—I suppose it was a house of ill fame—I knew by the appearance that it was a house of that description—the prisoner went in at the door with me—he first spoke to me in the passage of the house—he spoke in French—I do not know what he said—I knew enough to know that it was French—we went up stairs—I believe we went up together, to the first floor front-room—it was a bed-room—it was then the middle of the day, about one or two o'clock—I had my watch at the time, and I laid it on the table—we remained in the room together about twenty minutes—there was not much conversation passed between us—he did not speak very much at all, but the little I said to him in English he understood, and in reply he could say, in English, "Yes," and "No," and "Very well"—these appeared to be proper answers, such as a person understanding English would make—they appeared to be natural answers to my questions—from the manner in which he answered I understood that he was aware of the meaning of the words I used—he seemed to understand me—I do not remember that he said any thing particular in parting from me and leaving the room—I do not remember particularly what he did or said at the time he took leave of me—he said something in French and went down stairs—as soon as he had quitted the room I missed my watch, and called to the woman of the house to stop him, but he escaped—I gave information, and a description of my watch and of the person, at the police-office at Scotland-yard—I also went to Mr. Hawley's house in the Strand, and stated that I had lost my watch—the next time I saw my watch was when the policeman brought it to me last Friday afternoon.

Q. As the time you were with the prisoner was the middle of the day, have you any doubt that he is the person? *A.* He could hear very plainly and speak English, and this man can do neither—I believe him to be the man—I have no doubt on the subject.

Q. You said something about his understanding English—did he appear to you at that time perfectly to understand what you said? *A.* He did—he gave me to understand by his manner that he wished me to go to a house and he would follow me—I perceived he was following me—he came up to me before I went into the house, and joined me—he did not walk with me many minutes—he did not address me at all—I had not been walking in Leicester-square—I was merely passing through the square—the prisoner had drab trowsers on, and a frock coat—he made me a present when he left me—he addressed the servant of the house in English—he said in answer to a question she put about the money to pay for the room, that it was too much—she spoke to him in English and stated the amount, and his observation was, it was too much—he gave her what she asked—the servant was an old person—I do not know that I should know her again.

GEORGE SHEPHERD. I am the manager of the business of Mr. Smith, a watchmaker, No. 75, Strand—that is the shop known as Hawley's—the name is still up—I know this gold watch—I sold it to the prosecutrix in May last, and the key—this chain was bought subsequently—the price of the whole was about fourteen guineas—the prisoner called at the shop on the 13th of December, about half-past one o'clock, and from the description I had had of him from Camble, I noticed him—when he came in, he said in English, "Will you buy a watch?"—I said, "Yes," in my ordinary tone of voice—he had this watch in his hand, and on my saying so he

laid it on the glass case—I asked him how much—he said in English, "Twelve guineas"—in consequence of the information I had received, I opened the watch, looked at the number of it, and saw it was the one I had sold to the prosecutrix—I shut it, put it into my pocket, and went round and shut the shop-door—the prisoner immediately began to talk French very loudly, and attempted to get away—I stood behind the door—he spoke a great deal of French, and used his hands—he came to me, and tried to get me away from the door—I had no one in the shop, but I stamped my foot, and called for assistance, and two men came from the kitchen—I sent one of them for an officer, and gave the prisoner in charge.

Q. From the time the prisoner entered till he was taken away in custody, did he give any indication, or make any sign, that he was deaf?—*A.* Not at all—he did not from first to last appear to misunderstand what I said—he did not exhibit any appearance of deafness to me.

Prisoner. Q. Do you know the name that was on the watch?—*A.* Yes, "Thomas Hawley, 75, Strand," is engraved in the watch—there is no difference between the name in the watch and the name that is known to the public and which is over the shop-door—they are exactly the same—the name has been up twenty-eight years—I was standing inside the counter—the door was open while I examined the watch—you did not attempt to escape while I was examining the watch, it was afterwards.

(*The deposition of this witness was here read, and corresponded with the evidence he had given. The prisoner then had a copy of it in the French language handed to him.*)

Prisoner. Q. What indication did I give that I wanted to escape?—*A.* You scuffled, and endeavoured to remove me from behind the door—I told you to go and sit down in the chair.

EDWARD JEFFRY (*police-constable F* 87.) I received charge of the prisoner on the 13th of December, at the shop called Mr. Hawley's—I received the watch, chain, and key, from Mr. Shepherd, while the prisoner was present.

Prisoner. Q. Did you see me make any struggle to get out? *A.* No—one man fetched me, and I found Mr. Shepherd and another man in the shop with you.

(*The prisoner here wrote his defence in the French language, which was translated by John Huddleston, Esq., and is as follows :*)

"Whatever may be the system of the legislation of a country, the object of the law, as well as that of humanity, is the discovery of truth,—punishment to the guilty, acquittal for the innocent. In seeing a stranger appear before you, you will naturally inquire, and he himself feels the necessity of informing you, who he is, whence he comes, and what purpose brings him to a strange land. Who am I? I am the son of a Madame Ainot, a widow living with honour upon her own estate. I am the grandson of M. de la Mittaine, an old man of eighty, conducting for upwards of forty years, with credit to himself and his family, a manufactory of China. I am brother-in-law of M. Hebert, Deputy for the department of the Louvre, in the French parliament, Chevalier of the Legion of Honour, Advocate-general of the Court of Cassation.

"The object of my coming to England was to embark with my wife and her cousin for the United States, where I am possessed of 3341 acres of land, in Virginia. During the last two months I have re-

sided in London, and lived there with the most rigid economy, never leaving my wife. I know of no balls, I frequent no taverns, I never even entered a place of theatrical entertainment. How comes it, then, Gentlemen, that I am brought before you? What fatality has placed me in this position? A person unknown to me causes my arrest, and throws me into a criminal court. A watch, a valuable watch is found in my possession. Is it for that reason I am to be considered a thief? No, gentlemen, I am the legitimate owner of that watch. My wife's cousin was detained in Germany, on account of some money transactions; she was anxiously expected by us, day after day, for six weeks; every Thursday, every Sunday found me at the place where the packet-boat from Rotterdam lands her passengers. Being one Sunday, about three weeks ago, as usual, at the Custom-house, waiting for the boat, I was accosted by a man who first of all showed me two razors; and after having in vain followed me in the hopes of persuading me to purchase them from him, he went away. The boat arrived, my cousin, alas! was not a passenger in it. I left the Custom-house. Again I was addressed by the same individual who had in one hand the two razors, and in the other a chain; he followed me, but my sole answer to his offers for sale was, 'No.' At last he drew forth this watch. I, struck by its beauty, asked, 'How much?' Not understanding his answer, and unable to make him comprehend that I was deaf, I took from my pocket a sovereign, and said to him, "How much;" he lifted up both his hands. I answered, 'Five.' In directing his attention to the piece of money I held in my hand—to place in my hand the watch, —to demand the money I offered him—to possess himself of it, was the work of an instant. The celerity of his movements, the violence of his action, induced me to think myself duped; the examination of the watch, however, convinced me of the contrary, and then, indeed, the idea that it was the result of a theft came into my mind. However, strong in my own honesty, and relying upon my own credit, I kept the watch three weeks. The jeweller in his evidence has declared to you, that though the shop is kept by other persons, yet that the name over the door is the same as that observed on the watch; therefore a person conversant with the usual custom of jewellers could not have presented himself at the shop ignorant that he was with the maker of the stolen object. What was my conduct? I took the watch in my hand, and with the address inscribed upon it before me, I walked down the Strand, looking out for the maker. The name on a door attracted my attention, it is the same as that on the watch: I enter the shop, and handing him the watch, say, 'Will you buy?' Gentlemen, is this the conduct of a thief? Is this the manner in which a guilty man acts? I appeal to your consciences. During this time the jeweller tells you he was on the other side of the counter; during the time he examined the watch the door was open. I see the man who made the watch examine it anxiously; I see him examine it closely. Do I seize this opportunity to avail myself of the open door? Gentlemen, I attempt not to fly; yet you say I am the thief? Had I been guilty, my conduct would have been that of a madman; had I been the thief my actions must have been those of a fool. What! get into a snare, see myself entrapped, an escape open to me, make no attempt to escape; it is contrary to reason, it is at variance with common sense. Gentlemen, I attempt not to fly. Why? because I was not the thief. Who then presents herself before you to bring guilt home to me. You Charlotte Camble; you who being with a man for

weaty minutes, who having him in your arms, talking to him, perceive not hat he is not deaf. He says no more to you than 'Yes'—'No'—'Very well' —and each answer appearing apropos. Gentlemen, is this credible? Has his the appearance of credibility? But, Gentlemen, for the space of five years I have been deaf. Here are the names of the medical gentlemen who have attended me: M. Haubert, prinipal surgeon to the hospital at Rouen, my native town; M. Ydard, of the Deaf Hospital, at Paris; M. de Larue, surgeon, No. 8, Rue Blanch, Paris; Dr. Connut, physician, Paris; Dr. Wilski, Paris. These have been my medical men, yet I am thought not deaf. You have imagined that I have answered some remarks which you thought I had heard. Gentlemen, there is an evident mistake somewhere. Charlotte Camble says the man with whom she was, appeared to understand her; she had him in her arms, she pressed him to her bosom, and she says he was not deaf. Can I then be that man?

"Gentlemen, does this woman swear I am he? Try her credibility. Tell her, under penalty of the loss of her goods, of the loss of her liberty, she must take any number of men with whom she has been three weeks ago, and order her to declare the precise moment she was with each, the precise conversation she held, the exact position she was in. Could you, Gentlemen, if your property, your liberty were at stake, do this? Can you believe that it is possible for her to do it? No, Gentlemen, she cannot —she dare not. But to me more than property—more than liberty is at stake—my honour is in danger of being wounded—the honour of my family is in danger of being tarnished for ever—that which is dearer to me than property—that which is dearer to me than liberty—that which is dearer to me than life. Can she identify me as the person with whom she was? No, Gentlemen, you will not believe she can;—no, Gentlemen, I am not that man—I am no thief."

COURT *to* CHARLOTTE CAMBLE. *Q.* Was your watch visible as you were walking? *A.* It was under a shawl—the guard chain might have been visible outside my shawl—I cannot say, but the watch was not visible —I lost the chain, and a hair chain too.

JURY. *Q.* Were you in company with any other man that day? *A.* No.

JURY *to* GEORGE SHEPHERD. *Q.* How soon did you see the prosecutrix after the loss of the watch? *A.* About four hours—she described the person to me, and said I should have the officer with me on Monday morning, which I did—the moment the prisoner entered the shop, I made up my mind that that was the man who stole the watch.

GUILTY.—Judgment Respited.

OLD COURT.—*Thursday, December 19th*, 1839.

Second Jury, before Mr. Sergeant Arabin.

380. JOHN SMITH was indicted for feloniously breaking and entering the dwelling-house of John Watson, on the 3rd of December, at St. Andrew, Holborn, and stealing therein 750 yards of silk, value 90*l.*, and 870 yards of poplin, value 20*l.*, the goods of the said John Watson.

JOHN FIELD. I am in the service of John Watson, a linen-draper and silk-mercer, on Holborn Hill—he lives in the house, which is in the parish

of St. Andrew, Holborn. On Tuesday morning, the 3rd of December, at seven o'clock, I was taking down the shutters, and removing them up Thaives-inn, which is at the corner of our house, to put them in a box—I heard the latch of the shop door go, which is on Holborn-hill—I am certain it was latched before—I waited close against the door till it opened, and two men rushed out with a load—one turned up the hill, the other ran across the road—I hallooed after them, crying "Stop thief," as loud as I could, and the policeman caught the prisoner—I never lost sight of the prisoner—he is one of the persons who had one of the loads, which were 750 yards of silk, and 470 yards of poplins—it is here—it is my master's property—the other man made his escape—they both dropped their bundles.

Cross-examined by MR. PAYNE. *Q.* How far round the corner is your shutter place? *A.* Ten or fifteen yards—our premises consist of two houses—the door is near Thaives-inn—it was rather a foggy morning—the prisoner was stopped not fifty yards from the shop, in the middle of the road—I lost sight of the other man—they both crossed the same way, but turned different ways afterwards, one up the hill, and the prisoner down the hill—I was not fifteen yards behind him all the way—I did not see his face at all—I was within three yards of the door when I heard the latch lifted up—I had not seen any body go in.

JAMES HUGHES. I am a labourer. I saw the prisoner coming out of Mr. Watson's door-way with a bag of things—I was at work in the street—he is one of the men who came out.

Cross-examined. *Q.* When were you first asked to give evidence? *A.* I told the prosecutor's porter of it the same morning—I was standing in the street, about a dozen yards from the prosecutor.

CHARLES TILLEY (*City police-constable, No.* 205.) I was on Holborn-hill, on the left-hand-side, and saw the prisoner running down the hill, in the road—I caught him about fifty yards from the prosecutor's—he ran into my arms in the road—Field came up and gave him in charge.

GUILTY of Stealing in the dwelling-house, but not breaking. Aged 28.

—Transported for Fifteen Years.

Before Mr. Justice Patteson.

381. WILLIAM FREDERICK BOX was indicted for stealing, on the 17th of October, 1 breast-pin, value 11*l.* 11*s.*, the goods of John Howell and others, in their dwelling-house.—2nd COUNT, stating it to be the dwelling-house of William Sedgwick.

MR. DOANE *conducted the Prosecution.*

HENRY WEBSTER. I am in the employ of John Howell and Mr. James, in Waterloo-place, St. James's—there are four partners—the servants of the establishment sleep in No. 9—the shops are all connected, but not the dwelling-houses—I am connected with the jewellery department, which is No. 9. On Thursday, the 17th of October, the prisoner came there with a lady with a riding-habit on, between five and six o'clock, and asked to look at some diamond-pins—I showed him a tray containing a number of pins, and among them a ruby-pin, of the value of eleven guineas—he said he would take that pin, and I gave it to Arrow, the apprentice, who stood by my side, to place in a box for him—he then asked to look at some signet-rings—I showed him a case—he selected one, and desired it to be engraved with a Stork rampant by the following day—he then said he wished to look at some scarfs and ladies' aprons, which are in another part

of the establishment—I sent Arrow with him to show him where they were—before he went he desired me to wait, and he would return to me, and in the meantime to make out the bill for the whole, but not to come to him, for he would return to me—I then lost sight of him, he being in another part of the shop—I waited a few moments, and in consequence of what a young man from the shawl department told me, I found he was gone from the place—I went to the outer door of the house, and found the prisoner about to mount his horse, and the lady had got on her horse—they had both come on horseback—I had not missed the pin then—he said to me that I was to send the bill up to his house at eleven o'clock in the morning, in Hertford-street, May Fair—I had the ring to engrave for him, and was not aware that he had the pin—when I got back to the shop, Arrow gave me some information—next morning I sent a young man named Marsh, to Hertford-street with the bill—he brought back no money—I have not got the bill.

Cross-examined by MR. CLARKSON. *Q.* How long have you been in the prosecutor's service? *A.* Five years next March—we never give credit to persons we do not know—I swear that—the prisoner bought a scarf and apron that night—the lady took them—I do not know that of my own knowledge—when I got to the door she had got them in her hand—I did not know the lady—there are several young men in that department—the young man who served her is not here—his name is Key—before the prisoner went away I had seen the pin put into a box by Arrow—I did not notice that box without the pin before he went away—I saw a box, but whether it was the same I cannot say—I cannot say whether there was any other box there at that time—we frequently take out boxes to place things in, and there might be another box on the counter—we sometimes take out five or six boxes, before we can get one large enough—the young man was close to my side, and the prisoner right before me, and the lady by his side—he wore a dark handkerchief.

Q. Do you mean to represent, if that pin was in the fall of his handkerchief it could have been in it, and yet not you nor Arrow see it? *A.* I will tell you why; the lady drew my attention, by asking the price of different rings—this is the first time I have said that—I held the prisoner's horse for him to mount—if his horse had not been restive he would have been off before I got out—I cannot say whether I touched his coat—I should say I was seven or eight inches from the box the pin was in—he desired me to come to his father's house, No. 14, Hertford-street, May-fair, next morning, and he would pay me—I said I would go—I do not know what has become of the bill—it turned out to be his father's house—the prisoner did not reside there then—the scarf and lady's apron, and the signet-ring, was included in the bill—it would take about half a day to engrave the signet-ring—I sent the bill before it was engraved, by his desire—I missed the pin about ten minutes after he left the house—Mr. Sedgwick, one of the partners, was in his house, No. 9, at the time—I did not say any thing about it to any of my masters before I sent the bill next morning—I know a lady named Harvey, at No. 15, Savoy-street, Strand, she has two daughters—I do not know what she is—I believe she is a lady—she has independent property, as far as I know—I have known the family about twelve months, or a year and a half, and have called there occasionally—she is a housekeeper—she lives very respectably, and her daughters are at boarding-

school in Henrietta-street—we never take cheques from persons we do not know, until we make inquiry—when the prisoner said he would give me a cheque, I did not inquire on whom it was to be drawn.

MR. DOANE. *Q.* If he had come and given you a cheque, should you have received it without making inquiry of one of the firm? *A.* Certainly not.

JOHN ARROW. I am apprentice to Howell and James. On the 17th of October I was in the jewellery shop with Webster, when the prisoner came in—I saw the ruby pin—Webster gave it to me—I placed it in a box, which I put on the counter, and while doing so the prisoner asked to see some rings—Webster showed him some—he selected one, and desired Webster to have it engraved for him, and gave him a card of address where he was to send it when it was done—he then said he wanted to see some scarfs—after the prisoner looked at the signet-ring, and before he spoke about the scarfs, I saw him take the pin out of the box, and place it in his stock—Webster was standing by the side of me at the time, but the prisoner had his back to him—I went with him to show where he could get the scarfs, introduced him to the person who showed them, and then returned back to the shop to Webster—I did not tell Webster what I had seen—I saw the prisoner next day in Duke-street, Manchester-square, followed him some distance, and lost sight of him—on the Saturday week I saw him at the English Opera-house, and gave him into custody.

Cross-examined. *Q.* Where was the box when he took the pin from it? *A.* On the counter, perhaps two feet from Webster—I did not notice any other box on the counter—the prisoner said, "I will take it, put it in a box for me"—that was when he selected it—he afterwards took it out, and stuck it in his shirt—it was about the middle of the next day that I saw him in Duke-street, about one o'clock—I saw Marsh in the morning—I did not see a bill in his hand—I did not see him go out to go to Hertford-street—I saw him directly after I returned after seeing the prisoner in Duke-street—he was in the shop—I followed the prisoner and passed him at one time—my presence of mind did not lead me to take him into custody—he wore a black satin handkerchief—the pin was an eleven-guinea one, and a ruby—it had a very striking appearance in his dark handkerchief—I did not make any communication to Webster till I heard the prisoner had gone out of the shop, I then said he had the pin—that was not before he went out of the shop the first time—he went out then returned, and then I told him—it was not in consequence of any communication made to him that he went out of the shop—he seemed surprised when I told him the prisoner had the pin—he did not desire me to go to Hertford-street that night to see if it was all right—I did not see the bill made out—I did not speak to the prisoner when I saw him in Duke-street—I had not presence of mind to do so—I did not see any policeman close by.

MR. DOANE. *Q.* If you had, should you have given him into custody? *A.* I do not know that I should.

EDWARD JAMES MARSH. I am an apprentice to the prosecutors. On Friday, the 18th of October, about eleven o'clock, I took a bill of parcels to Hertford-street, May-fair—I do not know what has become of it—I gave it to one of the young men in our shop—the prisoner was not at Hertford-street when I took the bill.

Cross-examined. *Q.* Did Mrs. Box ask you whether her son had had these things given to him? *A.* No, she said Mr. Box, her husband, was not a

home—she wished to know what I wanted with the prisoner—I gave her the bill, and said I was to come for the money—I was sent for the money by Webster. NOT GUILTY.

Before Mr. Baron Rolfe.

382. THOMAS JACKSON, *alias Johnson, alias Wells*, was indicted for feloniously being at large within her Majesty's dominions, without lawful excuse, before the expiration of the term for which he had been ordered to be transported.

MR. RYLAND *conducted the Prosecution.*

GEORGE CHENEY. I am a beadle of Cheap ward, City. I know the prisoner by the name of Thomas Jackson. On the 1st of March, 1837, he was in my custody, charged with a burglary in the house of Heath and Co., No. 31, Old Jury—he was remanded twice by the Lord Mayor, and at last committed to Newgate for trial—I was present at his trial in this Court, before Mr. Justice Littledale—he was convicted, and transported for life—I have a certificate of his conviction, which I obtained from Mr. Clark, whom I saw sign it—(*read*)—I have not a doubt of his being the man—I know him by his walk—when he was remanded I had to take him backwards and forwards three or four times, and he had a limp in his walk, having had an accident, and I know his features—I received him in custody from Meagle.

Cross-examined by MR. PAYNE. *Q.* And do you know him from the low in his left leg? *A.* Yes—he had not any whiskers at that time—they were shaved off.

MR. RYLAND. *Q.* Could you tell by his face at the time that he had had whiskers, and that they were shaved off? *A.* Evidently, for his face was much fairer in the part where the whiskers had been than the other part—I have no doubt of him.

WILLIAM MEAGLE. I am in the service of Heath and Co., merchants, in Old Jewry. On the night of the 1st of March, 1837, I was disturbed by a noise in the house, and went down stairs—I saw the prisoner in the house, at the bottom of the passage—I seized him, and handed him over to Cheney—I was present at his trial, and he was convicted—I have no doubt of him whatever.

Cross-examined. *Q.* I believe you agree that he had no whiskers? *A.* Not that night—I did not know him before I found him in the house—I only saw him then, and before the Lord Mayor, and on his trial.

THOMAS WOODRUFF. I am now a sergeant of the City Police, No. 7. In March, 1837, I was a turnkey of Newgate—I know the prisoner—I remember his being in custody in that month, and April, at Newgate, on a charge of burglary—I was not in Court when he was tried—I saw him in Newgate afterwards as a convict—he was sent to the hulks in execution of his sentence.

HENRY CHARLES BARKER (*police-constable H* 11.) I know the prisoner—I remember his being tried in this Court in April, 1837—I was witness, and was in Court at the time he was convicted.

Cross-examined. *Q.* You had nothing to do with his apprehension, had you? *A.* Not for the burglary—I had this time—I saw him at the former trial—I did not see him except on the trial.

PHILIP PARISH (*City police-constable, No.* 45.) I know the prisoner

—I was at the Mansion-house when he was examined on a charge o burglary—I think it was on the 2nd of May, but I saw him before that a the Compter—I took a person down to look at him—I saw him when h was under examination on this charge in March, 1837—I was present a his trial in this Court—he is the man who was tried and convicte —I saw that he had a bow leg, but I know him by his features.

GEORGE TEAKLE (*police-sergeant H* 8.) On Sunday morning, th 1st of December, in consequence of information, I went to a house i Spicer-street, Spitalfields—one part of the street in in the parish Spitalfields, and the other in St. Dunstan's, Stepney, in the hamle of Mile-end New-town—the house I went to, I believe, is in the hamle of Mile-end New-town—I found the prisoner in that house—I did n know him before—I told him his name was Wells—he said it wa not Wells, but George Johnson—he was sitting down—I told him w wanted him, and as he stood up I observed him rather limp on on side—I said, "You have had a broken leg"—he said, "I have not"— on the way to the station-house he asked me several times what wanted him for—I told him I would satisfy him when he was there— when we got there he was told it was for returning from transportation— he made no reply.

Cross-examined. Q. What leg did it appear to you had been broken *A.* I cannot recollect—it was momentarily as he stood up—I have mad inquiry at the Home Office—I am not aware that they have received an account of the escape of any convict of this name.

GUILTY. Aged 36.—Confined One Year, and then Transported for Lif

Before Mr. Justice Patteson.

383. WILLIAM CLARK was indicted for feloniously breaking an entering the dwelling-house of James Young, on the 30th of Novembe and stealing therein 4 gowns, value 3*l.*; 1 cloak, value 1*l.*; 1 shaw value 10*s.*; 1 penknife, value 1*s.* 6*d.*; 2 bags, value 5*s.*; 1 pair of glove value 1*s.*; 16 shillings, and 10 sixpences; the property of Carolin Young: 10 yards of mousseline de laine, value 11*s.*; 1 shawl, value 12*s.* 2 gowns, value 1*l.* 3*s.*; 1 penknife, value 2*s.*; 1 umbrella, value 5*s.*; shilling, and one sixpence; the property of Mary Ann Young.

CAROLINE YOUNG. I live in Charles-street, Bethnal-green, with m brother, James Young—my brother, my sister Mary Ann, and my younge brother John lived there. On the 30th of November, at a quarter-pas eight o'clock, I went out along with my sister, leaving my youngest brothe in the house—I bolted the back-door and shut the street door—I cam home at twenty minutes to nine o'clock at night, and found the outer doo and the back door open—I missed the property stated—I had seen i when I went ont—I left my dresses up stairs and my cloak hanging behin the front bed-room door—when I went into my bed-room there was parcel of cuttings and things about, and a box broken open by a poke and things strewed about.

Cross-examined by MR. PAYNE. Q. How many dresses were ther altogether? *A.* Seven, two shawls, a cloak, and silk umbrella—the wit ness Sherfield lives next door to my father—on the Saturday evening whe we told the policeman, he made a communication to me, and I believ he did to my father before—I mentioned it to him about 11 o'clock a night.

MARY ANN YOUNG. I went out with my sister on Saturday morning

the 30th of November, and came back with her—I missed three dresses—one was not made up, and one was wrapped up in a box.

JOHN YOUNG. I live in my brother James's house—I went out on the morning of the 30th of November, between twelve and one o'clock, leaving no one in the house—I saw the back door and the middle door bolted—I shut the front door—I did not lock it—it is a spring lock—it could not be opened from the outside without a key—I came home between eleven and twelve o'clock at night.

Cross-examined. Q. Do you know the house where Sherfield lives? A. Yes—it is about twelve yards from our house—it is round a corner, and about six or seven yards from it—there is no gas-light at the corner—there is one opposite to the corner, at the chandler's shop—there is a lamp over the house right opposite our house—there is a shop projects out between Sherfield's door and the corner—there is a dead wall between our house and the corner—it had been a wet afternoon—I do not know whether it was raining till between eight and nine o'clock—I was not out—I cannot swear it was not raining till half-past eight o'clock—I am quite sure I shut the door after me, and I felt to see if it was fast.

COURT. Q. How wide is the street between your house and the chandler's shop? A. I cannot say—it is rather wider than this Court—Sherfield's house is round the corner, on the same side of the way—there is a dead wall between our house and the corner—going from our house to the corner, the dead wall is on our right hand—the shop is at the corner—Sherfield's is the first house after you turn the corner—if you wanted to go from our house to Sherfield's you would have to keep the wall on your right hand all the way.

JAMES SHERFELD. I am a silk weaver, and live in Coventry-street, which is round the corner from Parliament-street. I cannot see from my house-door into Parliament-street. On the 30th of November, about half-past seven o'clock in the evening, I saw three persons pass my door, one of whom, which was the prisoner, I knew—I have known him by sight for twelve or fourteen years—I was still at my own door when they passed—it was not raining at that time—the prisoner was not above two feet, at the farthest away from me—there is a gas-lamp at the opposite corner of the street where the shop is—I walked close behind them, and saw them knock at the first door in Parliament-street, on the left-hand side—I knew who lived there, but I did not know their names—it was the first door after you pass the dead wall—I stood at the corner—when I saw him knock there, two went in—I cannot say whether the door was opened to them or not—the prisoner and another with a Petersham coat on, went in—the other stopped outside—after he had been there five or ten minutes, the one in the Petersham coat came out and came to the corner, and stood facing my door, for nearly a minute and a half—when I saw him coming, I went to my door, and he stood facing me—he went back again and went in—when he went back, I went from my door to the corner—he stopped in about five minutes, and two women came along with an umbrella, and the one that was out with a velveteen shooting coat on, crossed over and whistled, and when the women had come by, he went back to the door and whistled again—when the women came by he was standing nearly opposite the door, by the dead wall, which is on the same side as Young's door—he was on the opposite side—after that, in about five minutes, Clark came out—I saw him coming towards the corner, and went back to my

own door—I saw him come past my door, he went round, I do not know the name of the street, and went through a little court, where there are some posts, he then went into Parliament-street, and went into the house again—they stopped in for about five minutes, and then they came out and went to the one that was on the watch, and went towards the Cambridge Heath-road—I did not perceive any thing upon them—I took no steps to interrupt them—I do not know whether they left the door open or shut—it might be five or ten minutes after eight o'clock when they went up the Cambridge Heath-road—I first gave information of this at about half-past eleven o'clock at night.

Cross-examined. Q. How do you get your living? *A.* By working for Mr. Clough—I was working for him on that day—I was standing at my door, smoking my pipe—I worked for Messrs. Jonas and Martin eighteen months—I never followed the occupation of a bullock-drover in Whitechapel or any where else—I have seen plenty of it—I live in the heart of it, but never took any part in it—I only knew the prisoner by sight—I did not go to the house and see if there was any thing wrong, because I did not know exactly at the time whether they intended to rob it or not—if I had found a policeman I should have sent him to the place to see—I was rather flurried at their coming, because I had no one at home at my own place to take care of it—I did not go any further than the corner—I looked for a policeman—I did not say a word about it till I heard there had been a robbery—I will not swear it is not thirty-six feet from Young's door to the corner—I never measured it—I did not speak to the prisoner—I told no one about this till half-past eleven o'clock.

WILLIAM CLAY (*police-constable K* 278.) I apprehended the prisoner on the 2nd of December, in the house that he was living in, in Grey Eagle-street, Spitalfields—I searched his lodgings, but found nothing relating to this—he stated that he was at Paddington with his wife and some friends on the 30th of November—I told him I wanted him for being a party concerned in a robbery in Christopher-street.

Cross-examined. Q. Is that all that took place in the house? *A.* Yes—I found his wife and two children there—one six and the other ten years of age—I did not ask them or the wife if their father brought any bag home—I went there about nine o'clock at night, on the 1st of December, and again on the 2nd, and found him in the passage.

NOT GUILTY.

NEW COURT.—*Thursday, December 19th,* 1839.

Fifth Jury, before Mr. Common Sergeant.

384. WILLIAM JOSEPH HILL and JOHN HILL were indicted for stealing, on the 10th of December, 1 gelding, price 1*l.*, the property of Jesse Higgins.

JESSE HIGGINS. I live at Tulse-hill, and am a green-grocer. I had a pony gelding safe on Tuesday, the 10th of December—I turned it out on the road-side that night, and missed it the next morning—I saw it in Smithfield on Friday last—a person had it trying to find the owner.

Cross-examined by MR. ESPINASSE. Q. Are you sure it was the same? *A.* Yes—it had been turned out for years on that spot.

THOMAS THOMPSON. I am a horse-slaughterer, in the employ of Mr.

Godfrey, in Thomas-street, Whitechapel-road. The prisoner William came to us with this pony—John was outside—my master's father called me to buy it—I dealt with William—he asked 18*s.* for it—I said it was not worth that to us—I at last gave him 13*s.*—I asked him whose it was—he said his own, and he gave his address "William Hill, Prudent-place, Mile-end-road"—I wrote it down—John led the pony down the yard—I took it to Smithfield, and the prosecutor owned it.

Cross-examined. Q. Did John Hill say any thing? *A.* Not about the pony.

W. J. HILL—GUILTY. Aged 28.
J. HILL—NOT GUILTY.

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385. WILLIAM JOSEPH HILL and JOHN HILL were *again* indicted for stealing, on the 30th of November, 1 gelding, price 4*l.*, the property of John Matthews.

JOHN MATTHEWS. I live at Norwood. I had a gelding safe about six o'clock in the evening on the 30th of November—I left it on some waste land by the side of the road in the parish of Camberwell—I saw Ford with it in Smithfield on the 6th of December—I have seen William Hill pass by my house.

Cross-examined by MR. ESPINASSE. Q. Are you sure it was yours? *A.* Yes—it had a little white in the face, and the near hind leg was white.

HENRY DANIEL FORD. I am a horse-slaughterer in the employ of Mr. Monk. I bought the gelding of William Hill—John was with him, and was riding it, but he did not say any thing about it—I asked William whose it was—he said it was his own, but that one horse would do his work for the winter, and he wanted to sell that—he said it would do a good deal of slow work—I took it to Smithfield.

Cross-examined. Q. I believe you were taken up about this? *A.* Yes.

W. J. HILL—GUILTY.
J. HILL—NOT GUILTY.

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386. WILLIAM JOSEPH HILL and JOHN HILL were *again* indicted for stealing, on the 3rd of December, 1 mare, price 2*l.*, the property of Isaac Starling.

ISAAC STARLING. I live at Lewisham, in Kent. I had a mare—I turned it out on the 3rd of December in a gravel-pit on Blackheath—I went the next morning, and she was gone—I found Ford with her last Friday morning in Smithfield—I have seen the two prisoners together on the road about six weeks ago between Shooter's-hill and Blackheath.

Cross-examined by MR. ESPINASSE. Q. Are you quite sure it was the same mare? *A.* Yes.

HENRY DANIEL FORD. Yesterday fortnight I was going up Whitechapel, and met John Hill riding this mare—I knew him by having seen him the Sunday before, and I said, "Holloa, where are you going to take that?"—William Hill ran up to me, and said, "What is that worth to you?"—I bought it of him for 16*s.*

W. J. HILL—GUILTY. Aged 28.—Transported for Ten Years.
J. HILL—NOT GUILTY.

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387. JOHN GARDINER was indicted for unlawfully, maliciously, and feloniously assaulting Charles Dear, with intent to maim and disable him

—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

CHARLES DEAR. I live at Isleworth. I was going through Hanwell on the 2nd of December with a coal-cart—I was riding on a horse—the prisoner was there scraping the road—Eleanor Eyre was going by, and the prisoner splashed her with mud—I said to him, "You ought to have a good *hiding* for that—it would serve you right if I gave you one"—he made no more to do but took up his scraper, and struck me on the head—the iron went through my hat and into my scull—I bled a great deal, and lost my senses—I was taken to a doctor—I had not attempted to strike the prisoner at all.

JURY. *Q.* How long was it after you spoke to him that he did this? *A.* I had the blow directly.

ELEANOR EYRE. I was on the road going to Hanwell—the prisoner threw some mud on me—I hallooed to Charles Dear—he said he ought to have a good *hiding*, and he had a great mind to give him one—on that the prisoner struck Charles Dear's head with the iron—Dear had not touched him.

ROBERT BROXHOLME. I am a surgeon. The prosecutor came to me on the 2nd of December—I examined his head, and found a contused wound extending down the scull—it appeared a very violent wound, and these wounds are very uncertain—I have known danger to occur a considerable time after, when the patient has appeared to be going on well.

GUILTY—Of an Assault only. Aged 19.—Confined Twelve Months.

KENT CASES.

Before Mr. Common Sergeant.

388. LETITIA JANES was indicted for stealing, on the 8th of December, 4 boots, value 3*s.*, and 1 handkerchief, value 6*d.*, the goods of William Miller.

MARGARET MILLER. I am the wife of William Miller, who is at sea. I live at Woolwich. On the 8th of December, about seven o'clock in the evening, I missed two pairs of shoes and a handkerchief—the prisoner had been at my place at six o'clock that evening—these are my boots and handkerchief—(*looking at them.*)

Cross-examined by MR. PHILLIPS. *Q.* Are these ladies' boots? *A.* No, gentlemen's—my husband has been at sea four years—I draw his half-pay in the Dock-yard—the prisoner and I have drank gin together many times.

Q. What has become of the shawl that was found on your person? *A.* That is to be found out another time—I did not come here on the shawl case—I have nothing to say about where it was said to be stolen from—it was not found on my shoulders—it was found in my possession, certainly, and I bought it—I accused the prisoner of having stolen that shawl—I did not tell the Magistrate that I bought it of a respectable lady who is gone to Ireland, and I have a witness to certify I never said it.

Q. Did any body accuse you of saying that the clerk made a mistake, and he took that down as if you said it? *A.* I came here on my own business, and I expect to be shown justice—I never said I bought the shawl of a respectable lady who is gone to Ireland—the mistake the clerk made is not my business—I never said I bought the shawl of a lady whose

name I did not know—the clerk made a mistake something about Ireland, but it was a mistake—I said I got it from the prisoner—whether I went and drank with the prisoner that night has nothing to do with this—I go where I think proper.

Q. Were you ever accused of taking the soldiers' necessaries from them? *A.* No, I was fined, and paid two fines for it—the Magistrate fined me, and it is not your business to rebuke me for it.

Q. Did you ever ask any money not to prosecute this case? *A.* Me ask money, Sir? did I ever say so? where is the witness? I never asked 4*s.*—not a fraction—not a farthing—I never called on the prisoner's husband since she has been sent to gaol—I saw him to-day—I did not ask 4*s.* of him—I will swear that twenty thousand times over—I did not go to his house on Thursday or Friday, or any other day since she has been committed to prison.

Q. Did you go any day before she was committed? *A.* That is my business—I never asked 4*s.* from her husband—I declare to G— I never did—not a fraction—I will tell you no more.

COURT. *Q.* Did you go to her husband? *A.* I did not.

MR. PHILLIPS. *Q.* Did you go to her husband's house before she was committed? *A.* I did, to *surprise* her of the shawl that she sold me three years and three months ago—I did not see her husband, that I will swear—I did not speak to him on this charge—I have a person here who will prove it—I did not swear that I bought the shawl of a lady that is gone to Ireland—being in the clothes line, I have been in the habit of giving a drop of gin to persons who come to me—I have not drank in public-houses with the prisoner, I will swear that—I am acquainted with Mrs. Webster—I found my property at Mr. Storey's—I did not give him to understand that I would have no proceedings on this business.

JOHN STOREY. I keep a shop at Woolwich for the sale of old clothes. The prisoner came to me with these boots to sell on the 8th of December—I did not buy them—she said she had a child very bad—I said I would not buy them that day, it being Sunday—she begged of me to let her have a trifle—I gave her 1*s.* 6*d.*, and she said she would come on the Monday.

Cross-examined. *Q.* How long have you known the prisoner? *A.* About fourteen years—she has borne an honest character—I saw the prosecutrix, and from what she said, I imagined this was all at an end—I said I would give up the goods to her, and she said I should never hear any more of it.

MARGARET MILLER *re-examined.* In consequence of his wife being in the family way he told me not to mention any thing about it. *Witness.* No, I did not.

CHARLES STEWART WARDEN. I am constable of Woolwich. I took the prisoner.

Cross-examined. *Q.* Were you before the Magistrate? *A.* Yes—I did not hear Mrs. Miller say that she bought the shawl of a lady who was gone to Ireland, but I heard the clerk make a remark that he or she must be mistaken—there was some reference to a person gone to Ireland—the prisoner has a large family and a sick child.

MR. PHILLIPS *called*

WILLIAM TURNER. I keep the Castle Inn, at Woolwich. The shawl was taken from the shoulders of a woman who came to my house with it on, and she stated that Miller gave it her—Miller stated before the Magis-

trate, that she had bought it of a lady who was gone to Ireland, and when she was pressed as to who it was, she stated that it was a very respectable lady, and she dared to say she could find her—the clerk said, "You told me she was gone to Ireland"—she said, "I did not say any thing of the kind, I bought it of Mrs. James"—the Magistrate said to me, "It did not occur to me that the prosecutrix had made so many contradictory statements about the shawl, or I don't know that I should have committed the prisoner." NOT GUILTY.

389. JAMES HOY was indicted for stealing, on the 4th of December, 1 basket, value 9*d.*; 2 smoothing planes, value 4*s.* 6*d.*; 1 axe, value 1*s.* 6*d.*; 8 chisels, value 8*s.*; 1 square, value 1*s.* 6*d.*; 2 gouges, value 2*s.*; 1 bevil, value 1*s.* 6*d.*; 1 screw-driver, value 1*s.* 6*d.*; 1 pair of pincers, value 1*s.*; 1 mallet, value 3*d.*; 4 gimlets, value 6*d.*; 3 brad-awls, value 6*d.*; and 1 hand-saw, value 5*s.*; the goods of William Barton: and that he had been before convicted of felony.

WILLIAM BARTON. I live at Camberwell, and am a carpenter. I had the basket and the tools stated—I left them in a building at New-cross, Deptford, at six o'clock in the evening, on Wednesday the 4th of December—I missed them the next morning at seven o'clock—these are them.

BENJAMIN HASELDINE. I am in the service of Mr. Greenly, a pawnbroker in Broomfields. The prisoner pledged these things on the morning of the 5th of December, for 1*s.* 6*d.*

Prisoner. At the time you say they were pledged, I was at home in bed—you said you were not certain of me, and the Magistrate told you you should swear to me. *Witness.* I have no doubt he is the man—I told the Magistrate I was almost positive—I have no doubt of him.

JAMES HAIRSINE, (*police-constable R* 37.) I went after the prisoner—I saw him, and called after him by name—he said, "My name is George Williams"—I said he must go with me to Mr. Greenly's—he said he did not know him—I said, "Don't you know him?"—he said, "He is a pawnbroker, but I never was in his shop"—I took him to the shop, and the witness said he was the man who brought the tools.

GEORGE DORSETT (*police-constable R* 94.) I produce a certificate of the prisoner's former conviction, which I got from the vestry clerk's office, of Surrey—(*read*)—the prisoner is the man.

GUILTY. Aged 19.—Transported for Seven Years.

Before Mr. Recorder.

390. MARY FOLLINS was indicted for stealing, on the 16th of December, 8½ lbs. weight of mutton, value 5*s.* 6*d.*; and 1 hook, value 1*d.*; the goods of James Steward: and that she had been before convicted of felony; to which she pleaded

GUILTY. Aged 40.—Confined Two Years.

SURREY CASES.

Before Mr. Recorder.

391. RICHARD PRINCE was indicted for stealing, on the 8th of December, 5 shillings and 4 sixpences, the monies of John Aldhous, his master.

JOHN ALDHOUS. I keep the Royal Standard public-house in White-street, Southwark—the prisoner was my barman—he came on the 22nd of

November. On the night of the 7th of December I saw some silver in the back part of my till, beyond the money partition, among the loose bills and papers, &c., not where I kept my money—in consequence of which, I marked the money, and returned it to the same place—next morning the prisoner came, as usual, for the key of the bar—I followed him down, and as I was standing in my parlour, in the dark, I saw him go to the till, and put his hand to the back where the marked money was—I kept watch on the till that no one else should go to it—my servant came down with a light—I went away from the spot for a time, and then returned—the prisoner came out of the bar—I then examined the till, and the marked money was gone—I had locked up the bar over night, before I went to bed—I delivered the prisoner the key in the morning—no one but him had access to the till.

Cross-examined by MR. CLARKSON. *Q.* What quantity of money was it you found that was over the partition? *A.* Five shillings and four sixpences—I found it after the prisoner went to bed, on Saturday night, and marked it—there were only two sixpences in the money-partition at that time—I am quite sure of that—I gave him the key between seven and eight o'clock in the morning, and examined the till at half-past eight o'clock—there had been no customers before that—we do not do business on Sunday morning—no one was with me when I marked this money—I am single—I have a house-keeper—I have no one in my service besides myself and three servants, including the house-keeper, who is not here—I gave the prisoner into custody on Monday morning—not on Sunday, because he was watched again—on Sunday night ten shillings more were put into the till, eight of which I marked at the station-house—it is not that money I charge him with stealing, but the other—I left two sixpences in the till on Sunday night, and 2*l.* in silver on a shelf in the back parlour, to give change in the morning—I found it there next morning as I had left it.

JOHN RICHARD COWLIN (*police-constable M* 5.) On Monday morning the prosecutor gave the prisoner in charge, and proposed to him to be searched—he took the money out of his pocket himself, and put it on the table—the prosecutor selected one shilling and one sixpence, which he said he had marked on Saturday night—I asked the prisoner if that was his money—he said yes—I then asked him if he had received any money of the prosecutor since he had been there—he said, no, and I took him into custody.

JOHN ALDHOUS *re-examined.* This is the shilling and sixpence I marked on the Saturday night—I did not mark the second money the same as the first—I believe the prisoner was in the house all the Sunday.

(The prisoner received a good character.)

GUILTY. Aged 25.—Confined Nine Months.

Before Mr. Common Sergeant.

392. THOMAS KENNEY was indicted for forging a request for delivery of 1 saw-plate, with intent to defraud Richard Richards and another, on the 24th of August.—2nd COUNT, for uttering the same: also forging a request for delivery of 1 sovereign, with intent to defraud Richard Richards, and another, on the 13th of July.—2nd COUNT, for uttering the same; to which he pleaded

GUILTY. Aged 48.—Transported for Seven Years.

(There was another indictment against the prisoner.)

393. BENJAMIN MATTHEWS was indicted for stealing, on the 1st of June, 2 gas-pillars, value 1*l.*; 4 pairs of tongs, value 16*s.*; 360 gas-burners, value 4*l.* 16*s.*; 41 cocks, value 2*l.*; 1 tap, value 5*s.*; 84 union-joints, value 2*l.*; 30 feet of tubeing, value 7*s.*; 8lbs. weight of wire, value 5*s.*; 1 box, value 1*s.*; 4 brushes, value 4*s.*; 27 screws, value 13*s.*; 64 files, value 2*l.*; 33 gas-fitters' tools, value 3*l.*; 67lbs. weight of brass, value 1*l.* 13*s.*; 96lbs. weight of solder, value 4*l.*; 40lbs. weight of lead-pipe, value 1*l.*; and 80lbs. weight of iron-pipe, value 2*l.*; the goods of John Stevens and another, his masters; to which he pleaded

GUILTY. Aged 40.—Transported for Seven Years.

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394. ANN REYNOLDS, *alias Brown*, and HARRIET BARRITT, were indicted for stealing, on the 5th of December, 1 set of fire-irons, value 3*s.*; 1 quilt, value 3*s.*; 1 blanket, value 1*s.*; 1 sheet, value 1*s.*; and 1 flat-iron, value 1*d.*; the goods of Julia Evans.

HARRIET LITTON. I am the wife of John Litton—we live in New-cut, Lambeth—Julia Evans is landlady of the house, and the things there are hers—I let the prisoners a room there, containing the articles stated—I missed the property on the 5th of December, when the officer called—these are the things—(*examining them*)—they are the property of Julia Evans.

HAYTER SCRIVENER. I am shopman to a pawnbroker in Blackfriars-road. I have a blanket, quilt, and sheet—Barritt pawned the quilt—I cannot say which of them pawned the other two articles, but the prisoners were both together each time.

REYNOLDS*—GUILTY. Aged 48.
BARRITT*—GUILTY. Aged 36. } Transported for Seven Years.

(There was another indictment against the prisoners.)

Before Mr. Recorder.

395. JOHN BENTON was indicted for stealing, on the 6th of December, 2 coats, value 10*l.*, the goods of George Powell, and 1 cloak, value 4*l.*; 1 pair of trowsers, value 1*l.* 10*s.*; 2 razors and case, value 5*s.*; 1 brush, value 2*s.*; and 1 comb, value 2*s.*; the goods of William James Newton, in his dwelling-house; to which he pleaded

GUILTY. Aged 29.—Transported for Ten Years.

ADJOURNED TO MONDAY, JANUARY 6TH, 1840.

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W. Tyler, Printer. 5, Bolt-court, London.

CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. THIRD SESSION.

A star (*) denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk (†) that a prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, January 6th*, 1840.

First Jury, before Mr. Recorder.

396. JAMES YOUNG was indicted for a misdemeanor.

WILLIAM MOLE. I am a shoemaker, and lodge in Poole-terrace, City-road. On the evening of the 1st of December the prisoner came into my house, and brought a sailor with him—they were introduced to me by a young man named Davis, who lodges in the house—they went up stairs, and after a few minutes' conversation I was called up—Young produced this paper (*looking at one*) and said, this John Freeman had 75*l.* prize-money to receive—he read the paper to me, and asked me whether I would oblige the sailor with the loan of a sovereign until the 12th of December, when he was going to receive his money, and he would be sure to return it to me again, and he would give me 10*s.* for the loan of it until the 12th—he told me the sailor's name was John Freeman, which was on the paper—he read the paper over to me, and told me it was quite right, for he (Young) had been to Mr. Goode's, No. 15, Surrey-street, to see the books, and it was quite right—I gave Young a sovereign, which he passed to the sailor—I parted with it, believing the account which he gave me to be true—he said he had to pay 2*s.* 6*d.* or 2*s.* to see the books—the paper was left with me—I saw Young two or three times in the course of the week, and he said it was quite right—I have never got my sovereign—the sailor came afterwards, and drew 13*s.* more on the same paper—I made inquiry, and caused the prisoner to be apprehended.

Prisoner. Q. Previous to the 1st of December, had anybody asked you to advance anybody a sovereign? *A.* No—Davis told me the sailor wanted to borrow some money on a paper, and that he had some prize-money to receive—he did not ask me to lend any one a sovereign—I had seen you two or three days before—I did not send Davis to you to say I wished to advance money on the paper—Davis told me you said the sailor did not want to borrow money on the paper, but that you were very much in want of money, and if the sailor would borrow it you would be very glad, as you could have it then—he told me the sailor was in work, and did not want any money—you did not come to me about it before the 1st of December.

Q. Who did you lend the money to? *A.* I gave it into your hands, and you passed it to the sailor—I first put it on the shop-board—

—— said, "Don't be too fast, take the money up again"—I took it up, and put it into your hand—the sailor did not say, "If you cannot lend me a sovereign, a few shillings will do"—he asked me to lend him another—I had been told I should have 10*s.* interest, but I did not ask for it—I did not send any body to your house after you were in custody—a young man, a carpenter, lodges in my house—he is not here—he has nothing to do with this—I did not authorise him to go to your house, nor do I know that he went—Davis was not to pay me back any part of this money—he proposed to pay me back, but I told him I did not want it—that was after you had been at Worship-street—he offered to pay me because I might think it was through him the money was lost; but I would not take it of him, because I knew he had no work at the time—the Magistrate had said he considered him as bad as the rest, which made him offer me the money back.

JURY. *Q.* What induced you to lend the money? *A.* He told me he was very much in want of money, and had none to buy him victuals—I expected 10*s.* for it.

Prisoner. Q. Is it likely I could tell him I had paid 2*s.* to search the books, when he says I told him I had not 1*s.* in the world? *A.* You did not say you had paid the 2*s.*—you said it was stopped out of the prize-money—you did not tell me yourself that you had not 1*s.* to get victuals—the money I lent was my brother's—it was given into my hands to lend to you—I do not recollect your saying you had no interest in the money—I did not tell the policeman that you said so.

(*Paper read.*)—"This is to certify that John Freeman has served as able-seaman on board Her Majesty's Brigantine, *Bonetta*, from the 25th day of September, 1836, to the 4th day of November, 1839. The said John Freeman is 5 feet 4 inches, and is of a fresh complexion, and is entitled to share for all captures made during that period. Given under my hand, this 26th day of November, 1839.

WILLIAM ROBARTS, *Commander.*

Names of vessels captured.	Slaves.
Incomprehensible . . .	700
Delourens	300
Cibra de Africa	210
Providentia	190
Total .	1400

Payable at Frederick Goode, Esq., Agent, 15, Surrey-street, Strand, Dec. 12, 1839."

JAMES MOLE. I am the prosecutor's brother, and live with him—I am a shoemaker. On Sunday evening, the 1st of December, I was present when the prisoner produced this paper to my brother—after the prisoner had read the paper, he said it was quite right, because he had been to see the books at Mr. Goode's office, and had paid 2*s.* or 2*s.* 6*d.*, I do not know which, to see them, and he said if we went to see the books, we should have to pay the same—he said he and the sailor wanted some money on the paper—my brother said he had no objection, if he knew the paper was quite right—he put a sovereign on the board, and the prisoner took it up—my brother did not know the prisoner before, only he came to see Davis who lodged in the house—the prisoner and the sailor went away together—the prisoner said the sailor's name was John Freeman—the prisoner handed the money over to the sailor—in consequence of not getting the

money back, I watched the prisoner, and had him taken into custody on Wednesday the 11th—when I was at the station-house he asked if my brother would take the sovereign to make it up.

Prisoner. *Q.* Where were you when I came into the house? *A.* I was in the house, getting tea—you and the sailor together asked my brother to lend the sovereign—you took it up and passed it to the sailor—I understood it was to be lent to you and the sailor together—my brother looked to the sailor for payment of the money—he was to wait until the 12th for it, but he went to see if it was correct, and found it was not—I saw the sailor on the Saturday and Monday too, after the money was lent—he was along with the tailor on Saturday—he staid at our house all night—my brother lent him 12*s.* that afternoon—he asked him to lend it—I was not present then—my brother went out with him on Sunday afternoon for a walk—they were about two hours together—the sailor remained in company with my brother and Davis the whole afternoon—my brother lent him another 1*s.* on Monday morning—the sailor did not drink away the 12*s.* at our house—he slept there on Sunday, and went off on Monday morning, saying he was coming back, but we never saw him again—my brother did not authorize any body to settle this affair—he never sent a carpenter to your house—the carpenter lodged at our house—I understood the money was for you and the sailor together—the sailor said you had 8*s.* of it—you did not, to my knowledge, tell my brother you had no interest in the affair, after he lent the sovereign.

Frederick Goode. I am a navy-agent, and live at No. 15, Surrey-street, Strand. I am agent for the *Dolphin*, which made a capture of other vessels in the slave-trade, the *Delloureus* and *Incomprehensible*—there is nobody named John Freeman, entitled to prize-money for those seizures—the *Bonetta* is not the vessel which captured those vessels, but the *Dolphin*—I do not know William Robarts as a commander at all—there is such a vessel as the *Bonetta*, but I am not concerned for her—the prisoner did not examine my books—if he had examined them he would not find this certificate correct—William Robarts had not the command of the *Dolphin*, but a man named Roberts, and this is not his signature—I know his hand-writing—the prisoner did not at any time make any application to me on the subject of this certificate.

Lambert Wilkinson. I am a policeman. I was on duty in Golden-lane, on Wednesday evening, the 11th—the prisoner was given into my custody by John Mole—he said he was innocent, but sooner than there should be a piece of work about the sovereign, he would make it up and give it him—I received the certificate which has been read from the prosecutor.

Prisoner. I have twice requested a person to serve a subpœna on the carpenter and Davis, and they tell me they have endeavoured, and cannot do so—they will not tell him the carpenter's name, and I do not know it.

John Mole *re-examined.* The carpenter's name is Richard Bate—he still lodges with us, but is at work a few miles out of town at present.

Prisoner's Defence. I had not seen the sailor above once or twice previous to the transaction, he came round to my house. I never saw him but once, and we were separated for twelve months. When we last met we saw each other a day or two, and he told me he had a certificate of prize-money to receive. I asked him what the money was he was entitled to; he said, from 70*l.* to 75*l.* I saw him a few days afterwards in

company with Davis, who was present when the sailor produced the certificate out of his hat, and asked me if I knew any respectable person who he could leave the certificate with, and would lend him a few shillings to maintain himself, till he could get his money. I said I did not, unless my own father would. Davis said, "Well, you can go and ask your father, and I will ask my landlord if he will lend the sailor a sovereign." The sailor accompanied me up to my father's, and I only ask, if it is at all likely that I should be such an ungrateful scoundrel, as to go and ask my father to lend a sovereign on it, if I meant to rob him. I had not the slightest idea the certificate was not good. I had never seen such a thing in my life. I had no object whatever in serving the man, further than considering he was in difficulties, and to advance a trifle if it would help him. As to my saying I searched the books, and paid 2*s*.. Mole and Davis well knew that I had not a shilling to bless myself with. I had been from home twelve months. I had been in trouble that twelve months, and it is not likely I could go and pay that money to search the books. I have a witness to prove I never saw the man till that time. I never asked Mole to advance him the money, but Davis came to me and said, "Have you done any thing with that certificate?" I said, "No, my father will not advance the money." He said, "I have asked my landlord, and he made me no reply." I said, "I shall not trouble further about it;" but in the evening the sailor asked me to mind the certificate for him, as he was going out. Next day Davis came and asked me if I had done any thing with it; I said I had not, and could not; he said, "There is a young man in our house to whom I have named it, he says he shall be glad to lend the sailor a sovereign or two, if he would give him interest;" I said if I saw the sailor I would let him know. Davis came to me next day; I said in all probability the sailor had got work, and if so, to let it rest. Next day I saw the sailor, who had been at work down at Shadwell, and I said nothing to him about Davis having offered to lend the money. He went away, and on Saturday Davis came to me again; I told him the sailor had got work. On Sunday, the 1st of December, Davis came to me again, and asked me the same thing; I told him, very likely I should see the sailor that day, and if he chose to lend him money he could. I saw the sailor in the evening, and told him a person in Davis's house would lend him money; he said, "Well, I only earned 3*s*. 6*d*. yesterday, and I will go to him." He asked me to accompany him. I handed the certificate to him, and we went to Davis's house, into a front room on the third floor; Mole was called up. Davis said, "This man wishes you to lend him a small sum of money, and he will lay in your hands a certificate entitling him to prize-money." He asked him if he knew what sum it was; he said he did not, and asked me the same. I said, "I tell you what would be your best plan; it would be, to go down to the office where he says the certificate is payable, and ascertain if it is correct;" he said, "There is no occasion for that," and immediately laid a sovereign on the shop-board; whether I touched it I cannot say, but I know I never had any money out of it. I saw Mole frequently afterwards; and so depressed was I in circumstances, that I asked him to purchase a duplicate of a brooch of me, which he did; and I believe, on the following day, I asked him to buy the duplicate of a gown-piece. I do not deny accompanying the sailor to his house, but I did not make any false representation about the certificate.

WILLIAM MOLE *re-examined.* I redeemed a brooch for him three or four days before I gave him in charge—it might be the Tuesday after I lent the money, and he asked me to try to sell the duplicate of a gown-piece, but I could not.

JARITTA LEWIS. I live in the same house as the prisoner. I recollect a sailor coming to him—he took a certificate out of his hat, showed it to the prisoner, and wanted a sovereign on it.—(*The witness here detailed a conversation which took place, which the Court ruled was not evidence.*)—Davis came four times to the house to see Young—after the prisoner was in custody, the prosecutor came and said if the prisoner would pay the sovereign he would be satisfied.

WILLIAM JUST. On the night the prisoner was taken into custody I was in his house—I heard a person come and ask to see his wife—I saw Davis watching and listening to all that was said—the man wanted to make a forcible entrance up stairs—before that Mr. Mole came himself to the prisoner's house, and said, "If you can make up the money it will prevent the prosecution"—I believe the prisoner was incapable of making it up—Mole said, "It will be a *compound* felony if I take it, but yet I will take it"—he asked the prisoner's wife if she had not got a silver watch, or other property, to the amount.

WILLIAM MOLE *re-examined.* I did not make any proposition about taking a silver watch—I know nothing of it—I neither sent any body, nor went myself—I never said I would compound the felony, and if they could make up the money there should be no prosecution, nor any thing of the sort—I never saw that man till he was at Worship-street—the woman came to me on the Saturday, and told me Mrs. Young wanted to see me—I went, and she asked me, if she was to make the money up, whether I would not appear against him—I told her I would let her know in half-an-hour—I did not send any body to her nor to the prisoner—it is all false—they asked me to make it up—I said I dared not, because I had gone too far with it—I have tried all I can to take Freeman into custody.

Prisoner. *Q.* You said before the Magistrate, although you knew he frequented houses about Shadwell, you had gone to Westminster to look for him? *A.* I said I went up that way, thinking I might fall in with him there—I do not know what houses he frequents—I did not go to Shadwell with him on the Saturday night after I lent him the 12*s.*, nor did he spend the 12*s.* in our house—he was out three or four hours on Saturday, and went out again on Sunday morning—he came back to dinner.

GUILTY.* Aged 30.—Transported for Seven Years.

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397. MICHAEL QUIN was indicted for stealing, on the 29th of November, 1 sovereign, the monies of William Smith, from the person of Richard Holt.

WILLIAM SMITH. I am an excavator, and live at Mersham, in Surrey. On Friday, the 29th of November, about ten o'clock at night, I went to the Nag's Head, on Tower-hill, with a man and two women—I asked Richard Holt to bring me a pint of ale—he brought it, and I gave him a sovereign to pay for it—he was to bring me the change back—he came back, and said I should have change directly—I waited for five or seven minutes, but it did not come—I then followed him out, and he made a statement to me—I did not get the change from him.

RICHARD HOLT. I am a musician, and live in Battye-street, Commer-

cial-road. I was at the Nag's Head when Smith came—I fetched a pint of ale for him—he gave me a sovereign, and told me to get the change—as I was going out at the tap-room door towards the bar, the prisoner took the sovereign out of my hand, and said, "I will go and get change while you play for the dance"—he took the sovereign from my hand—I went back, and began playing—he did not bring me the change—I saw no more of him till he was in custody—I had seen him before—he occasionally fetched beer for people there.

Prisoner. As he was going out of the house with the sovereign in his hand, he kept saying, "Would you like a sovereign?"—I said I would go and get change, and he gave me the sovereign in my hand—I was out of work, and I bought a few clothes with the money. *Witness.* I did not show him the sovereign.

ELIZABETH GOLLINGS. My husband keeps the Nag's Head. The prisoner used to frequent the house sometimes—he was not authorized by us to get beer or change for the customers—we had forbidden him the house—he was brought in by a sailor on this day, or we should not have let him in—on the 29th of November I supplied Holt with a pint of ale, which he took into the tap-room—he was to bring me the money, but he did not—I saw the prisoner come out of the tap-room, and go out very quickly—he did not bring me any sovereign to be changed—I saw no more of him till he was in custody—Smith afterwards came to the counter with Holt, and inquired for the money.

DANIEL M'NAMARA (*police-constable H* 159.) I received the prisoner into custody at Lambeth-street office, on the 23rd of December, from another officer, who had taken him for an assault—I took Holt in the first instance, and he was discharged.

Prisoner's Defence. I should not have taken it if he had not kept showing it to me—I had been out of work eight or nine weeks, and I was going to work on the morning I was taken—I am a tailor—Holt's father offered to take 2*s.* a-week for it, and afterwards he would not take it, or I hoped to have made the money up to him.

GUILTY.** Aged 17.—Transported for Ten Years.

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398. JOHN HARWOOD was indicted for stealing, on the 28th of December, 1¾lbs. weight of tea, value 10*s.* 6*d.*, the goods of the East and West India Dock Company; to which he pleaded

GUILTY. Aged 30.—Confined Six Months.

(The prisoner received a good character.)

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399. THOMAS BUTTON was indicted for stealing, on the 15th of November, 1 jacket, value 12*s.*; 3 waistcoats, value 18*s.*; 1 pair of trowsers, value 10*s.*; and 1½ yard of corduroy, value 3*s.*: also, on the 18th of December, 1 jacket, value 18*s.*, the goods of William Henry Swift, his master; to both of which he pleaded

GUILTY. Aged 13.—Confined Six Months.

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400. MARY LOCKE was indicted for stealing, on the 22nd of December, 1 half-crown and 3 shillings, the monies of Henry Goodman, from the person of Sarah Goodman.

SARAH GOODMAN. I am the wife of Henry Goodman, and live in Burgess-place, Vincent-square, Westminster. On the morning of the 22nd of December I was in a grocer's shop at the corner of Strutton-ground—the prisoner and another young person were there—they went

close to me—the shop was very full of people—when I came to pay for my goods I missed 3*s.* and a half-crown from my pocket—the prisoner was gone then—Mary Slinsby had been in the shop—I saw her outside the shop, and spoke to her—she pointed out the prisoner to me, and I accused her of taking my money—she used abusive language, and said she had not—I said I could swear to it—she pulled a silver coin, a half-sovereign, half-a-crown, 1*s.* 7½*d.* out of her pocket, besides my money, and said, "You had better swear to it all"—one of my shillings was marked down the face—she threw one on the ground—I picked it up, and found it was the marked one which I had had in my pocket with the other money when I went into the shop.

Prisoner. When she accused me of taking the money I pulled out all the money I had, and said, "You had better say all this is yours"—she immediately snatched 5*s.* 6*d.* out of my hand, and knocked half-a-sovereign out of my hand—I said I would wait till a policeman came, and when one came I said she had taken 5*s.* 6*d.* out of my hand—he said, "Will you give her in charge?"—I said, "Yes," and when we got to the station-house she said this shilling was hers, she could swear to it, for it was marked—she carried the money herself all the way to the station-house, and when the inspector asked where it was, she gave it into the policeman's hands. *Witness.* The policeman carried the money to the station-house—I gave it to him in the street—I am quite sure the marked shilling was part of the money the prisoner took out of her pocket—I had no other money about me.

Mary Slinsby. I live with my mother in Simon's-buildings, Old Pye-street. I was at the grocer's shop in Strutton-ground—I saw the prisoner there standing close up against Mrs. Goodman with her hand straight down in Mrs. Goodman's pocket—a girl who was with me, said, "Look at that woman picking her pocket"—I am quite sure her hand was in Mrs. Goodman's pocket—I saw her take it out—she went out of the shop, and left the other girl who was with her for the tea and sugar—when Mrs. Goodman came out I told her what I had seen.

Prisoner. If she saw my hand in the pocket why not tell the woman directly? *A.* I did not know any thing about it till I saw her accusing two little girls of it—I came up to see what was the matter, and she said it was me—I was buying some tea and sugar in the shop, and I had it with me at the station-house.

George Lambley (*police-constable B* 70.) The prisoner was given into my custody by the prosecutrix about ten yards from the grocer's shop—I received 5*s.* 6*d.* from Mrs. Goodman at the station-house, not till I got there—she carried it there herself—she had her hand clenched all the way, and did not open it—I did not know she had the money till we arrived at the station-house, which is about three minutes' walk—she said if it was her money a shilling was marked across the head—I examined the money, and found one shilling marked—I found a half-sovereign, a half-crown, 1*s.* 7½*d.*, a silver coin, and a duplicate of a sheet on the prisoner—she had some sugar, which she attempted to throw into the fire, but a constable picked it up, and gave it to her—she had no tea or any thing else with her.

Prisoner. I had some coffee. *Witness.* I searched her, but found nothing else—when I first came up in Strutton-ground she opened her hand, and said to the prosecutrix, "You had better swear to all the

money"—I have the money, and here is the marked shilling—(*producing it.*)

SARAH GOODMAN *re-examined.* This is my shilling—it came into my possession with the mark upon it—I had taken out 5*s.* 6*d.* just before I went to the shop, and put it in one corner of my pocket—I am sure this is my shilling—I was very agitated at the time, and am not certain whether I did carry the money to the station-house myself or not.

Prisoner's Defence. She was several yards behind me and the officer and what she might have done with the money he could not see.

(The prisoner received a good character.)

GUILTY.† Aged 19.—Confined Six Months.

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401. ELLEN HAWKINS was indicted for stealing, on the 21st of December, 16lbs. weight of rope-yarn, value 6*s.*, the goods of John Louch and another.

JAMES STONE (*police-constable K* 154.) On Saturday, the 21st of December, I saw the prisoner near the prosecutors' rope-walk, near Love-lane, Shadwell, with this rope-yarn—I asked what she had got—she said "My work"—I asked what work—she said, "Yarn for knotting"—asked whether this was knotted—she said no, but her brother had got home with some that was knotted, and this was the remainder of it, with which she was to follow him and take home, or else they should not get paid for it, as it was Saturday night—I took her to the station-house—she said she lived in Commercial-road, afterwards she said in Cannon-street road, then in Chapman-street, and then in Dock-street—I found, at last she lived at No. 27, Dock-street—I went with her to look for the place where she said she was to take the yarn to, but she could not tell where it was, and we went to look for her brother, but could not find him.

Prisoner. It was not me that stole it, it was a young man I used to speak to—he asked me to have something to drink, I carried his parcel for him, and the policeman met me with it—I did not say it was my brother—I was to meet him at the back of Limehouse Church, and I told the policeman so. *Witness.* I saw no young man with her.

JOHN WEBB. I am foreman to John Louch and his brother, rope makers. They have a rope-walk which runs from Love-lane to King David-lane, Shadwell. On the 21st of December I saw the prisoner and the policeman at the side of my masters' premises, at the time he was examining the bundle—I afterwards examined it at the station-house, and found it corresponded with a haul of yarn on our premises, which was cut—we have seven other pieces similar to this—it is a peculiar quality—is what we term inferior yarn—there are 218 threads in the haul I found cut, and the same number in that found on the prisoner—I am quite sure it is a portion of that haul—three of the prisoner's brothers were employed on the premises, and she herself had been occasionally, but had been discharged two or three weeks—she had no opportunity of taking this while she worked there—she had no communication with the part where it was kept, neither do I think she could have cut this herself—it would be very difficult for a female to cut—I think some one else must have cut it, and given it to her to carry—she was stopped close to the premises, and about fifty or sixty yards from where this yarn was kept—a person might stand inside, and give it to her outside to take away—our people leave off work at five o'clock at this time of year—she was stopped at half-past eight o'clock.

JAMES STONE *re-examined.* It was about fifty yards from the prosecutors' where I stopped her—she was walking very fast in a direction from the prosecutors'—I called to her as she passed me, but she did not seem to stop—I followed her, and then she stopped. NOT GUILTY.

NEW COURT.—*Monday, January 6th*, 1840.

Fifth Jury, before Mr. Sergeant Arabin.

402. JOHN WILLIAMS was indicted for stealing, on the 17th of December, 1 pair of boots, value 20*s.*, the goods of John Barrell; and that he had been before convicted of felony; to which he pleaded GUILTY. Aged .25—Transported for Fourteen Years.

403. JOHN WOODCOCK was indicted for stealing, on the 18th of December, 23lbs. weight of bacon, value 13*s.*, the goods of Edward Flowers; to which he pleaded GUILTY. Aged 31.—Confined Three Months.

404. DANIEL THURLING was indicted for stealing, on the 23rd of December, 7 handkerchiefs, value 2*l.* 2*s.*; 1 half-handkerchief, value 3*s.*; and 4 yards of silk, value 30*s.*; the goods of Moses Charles Bidmead; to which he pleaded GUILTY. Aged 19.—Transported for Seven Years.

405. MARY FIEST was indicted for stealing, on the 30th of August, 1 bed, value 2*l.*; 1 bolster, value 2*s.*; 2 pillows, value 4*s.*; 2 sheets, value 3*s.*; 1 blanket, value 1*s.* 6*d.*; 1 tea-kettle, value 1*s.*; 1 counterpane, value 2*s.*; 2 curtains, value 2*s.*; and 1 looking-glass and frame, value 1*s.*; the goods of Mary Parker Woodland.

MARY PARKER WOODLAND. I am a widow, living in Henrietta-street, Manchester-square. The prisoner, who is a widow, lodged at my house—she said she was in constant work at an hotel in Bond-street, and mentioned some names that I knew—I took her in on the 2nd of August—she had one room furnished, in which these things were—she continued till the time I took her up—I had a great deal of trouble to get the rent—she used to have money from relations, and by that means I got it, till about five weeks before she was taken—in consequence of information, I followed her up stairs one day, got into the room, and then missed these things—she first paid 4*s.* 6*d.* a week, and then 4*s.*

JONATHAN POLLARD (*police-constable D* 125.) I was sent for, and took the prisoner—she was charged with stealing—she said she had done it through distress, and she was very sorry, but if I would allow, she would send for a gentleman who would pay for the things.

WILLIAM THOMAS BARTON. I am a pawnbroker. I produce a bed, a bolster, two pillows, two sheets, two curtains, and one blanket, pawned by the prisoner.

GEORGE TAYLOR. I am an apprentice to a pawnbroker. I produce a quilt and looking-glass pawned by the prisoner.

(*Property produced and sworn to.*)

(The prisoner pleaded poverty.)

GUILTY. Aged 37.—*Recommended to mercy.*—Confined Three Months.

406. WILLIAM CHURCHLEY was indicted for stealing, on the 27th of December, 4 pewter pots, value 4*s.*, the goods of John Garner.

SARAH GARNER. I am wife of John Garner, who keeps the Half Moon public-house, Strutton-ground, Westminster. These four pots are his—the prisoner was an occasional customer—he goes about with hearth-stones—he was at our house on the 27th of December—he had some porter or some spirits, and went away between ten and eleven o'clock—the policeman brought the pots to me afterwards.

FRANCIS COOKE (*police-constable B* 37.) I fell in with the prisoner in Snow's-rents, about a quarter-past eleven o'clock that night—I saw his pocket bulky—I stopped him, and asked what he had got—he said "Nothing"—I put my hand into his pocket, and found a quart pot and a pint pot—I asked how he came by them—he would not give me a satisfactory answer—I took him to the station-house, and found the other pots and the owner.

Prisoner. It is my first offence—I always work hard for my living.

GUILTY. Aged 33.—*Recommended to mercy.*—Confined Six Months.

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407. DENNIS GLYNN was indicted for stealing, on the 28th of December, 2lbs. weight of cake, value 1*s.*, the goods of John Grant.

FRANCES GRANT. I am the wife of John Grant, who keeps a pastry-cook's shop in Greycoat-place, Rochester-row. On the 28th of December, the prisoner and two others came, and one of the other boys asked for a halfpennyworth of sweets—the prisoner stood next the window—he reached over, took this cake, and ran away—the other two boys, who were a great deal older than the prisoner, stopped me from getting out—I pushed them away, got out, and called "Stop thief"—the prisoner saw the policeman, and threw it down.

WILLIAM UPCHURCH (*police-constable B* 25.) I heard the alarm, and saw the prisoner run and throw down this cake—I ran and caught him.

GUILTY. Aged 11.—*Recommended to mercy.*—Confined One Month, and Whipped.

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408. HENRY HOWSE was indicted for stealing, on the 3rd of June, 10lbs. weight of brass, value 5*s.*; and 1 hammer, value 2*s.*; the goods of the London and South Western Railway Company, his masters.

MR. PHILLIPS *conducted the Prosecution.*

MATTHEW MOORE (*police-constable B* 83.) At eleven o'clock at night, on the 13th of December, the prisoner passed me in Rochester-row—I followed and stopped him in Vauxhall-road—he was carrying a basket—I asked him what he had got—he said, "Tools"—I asked him where he was at work—he said he was out of employ, and he had brought the tools from his brother's—I looked in the basket, and found it contained brass and a few pieces of copper, but no tools at all—he then said he had been down to Manchester, and had just returned, and he should answer no more questions—I took him to the station-house, and there he said he bought the brass, down at Deptford, of a man in the street, but he did not know who—I am quite sure he told me there were tools in the basket—I went to a lodging the following morning, and found this hammer—here is 20½lbs. of brass and copper found in the basket.

Cross-examined by MR. ADOLPHUS. *Q.* You say he said they were a basket of tools? *A.* Yes, that was all.

JOHN DAWSON. I am foreman to the engineers of the London and South Western Railway Company. The prisoner was in their employ till June last, as a copper-smith's labourer, when he was discharged—I can recognise almost all this metal as the property of the Company, with the exception of these tubes—we have plenty of tubes, but I cannot exactly swear to these—no other company uses such brass-work as this to engines—I have brought some corresponding parts with me.

Cross-examined. *Q.* Do you mean they are of the same kind of metal? *A.* Yes, all the railways have not the same sort exactly—here are some parts I can swear to—they were cut off some engine—I ordered them to be cut off—I have no mark on them—they are like some we use—the prisoner has had nothing to do with the railway since he was discharged.

MR. PHILLIPS. *Q.* Is it possible for a copper-smith's workman to mistake these things for tools? *A.* No.

JAMES SCHOLEFIELD. I am in the employ of the Company. I saw the prisoner in the work-shop of the engineer of the Company on the 2nd of December.

NOT GUILTY.

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409. JOHN HARRIGAN and JOHN M'CORMACK were indicted for stealing, on the 21st of December, 1 coat, value 10*s*., the goods of William Williams.

WILLIAM WILLIAMS. I am servant to Mr. Parrott, and live at Saffron Walden. On the 21st of December I was out with my master's wagon, at the Hand and Flower public-house, at Kensington—I had a coat on the wagon, which was loaded—I was away about half-an-hour—when I came back my coat had been taken away—Sawyer had got it—this is the one I lost—(*examining one.*)

WILLIAM SAWYER. I am ostler at the Hand and Flower public-house. I saw the wagon there—the prisoners were about there—I saw M'Cormack take the coat from the fore-ladder, and give it to the other prisoner—they went away—I followed, and caught Harrigan with it—M'Cormack got away—Harrigan had got about one hundred yards from the wagon—M'Cormack was away till we got to Queen-square, and then we lighted on him and took him—that was about two hours after—I am sure he is the person.

THOMAS BAYLY SMITH. I am police-inspector of Kensington station-house. Harrigan was given to me by Sawyer—I asked why he took the coat—he said because he was very hungry.

RICHARD HILL (*police-constable T* 134.) I took M'Cormack at Queen-square.

Harrigan's Defence. I saw a boy going along—he asked me to take the coat—I did not know it was stolen, or I should not have taken it—he said he would give me a few halfpence to take it, and I did.

HARRIGAN—GUILTY. Aged 17.

M'CORMACK—GUILTY. Aged 19.

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410. JOHN HARRIGAN and JOHN M'CORMACK were *again* indicted for stealing, on the 19th of December, 1 shovel, value 1*s*. 6*d*., the goods of John Phillips.

JOHN PHILLIPS. I am a broker, living in Broadway, Westminster. On the 19th of December I lost this shovel—I know it is mine—it was not lost above a minute and a half—it was just inside the shop.

STEPHEN TAYLOR RAMSBOTHAM. I go about with messages—I was

passing the prosecutor's shop, and saw Harrigan take the shovel from the door—I followed and stopped him—he gave a bit of a run, and dropped the shovel—the other prisoner was close to him when he dropped it—M'Cormack was waiting for Harrigan, about twenty yards from the prosecutor's shop—he could see the shop—I had seen them both waiting about some time before.

Harrigan's Defence. At that time I was about Clerkenwell, looking for work.

HARRIGAN—GUILTY. Aged 17.
M'CORMACK—GUILTY. Aged 19. } Transported for Seven Years.

OLD COURT.—*Tuesday, January 7th,* 1840.

Second Jury, before Mr. Recorder.

411. JAMES HARRIS was indicted for stealing, on the 26th of December, 1 shovel, value 1*s.*, the goods of John Bates.

ABRAHAM DAVIS. I live in Princes-row, Pimlico, and work for Mr. Cubitt. On the afternoon of the 26th of December I left a shovel in a shed in Mr. Cubitt's brickfield, locked the door, and went home to dinner, between twelve and one o'clock—I then went to the King's Head public-house, which is about a furlong from the shed—while there, the prisoner came in—in consequence of information, I went to the shed, unlocked the door, found the brick-work had been broken away and replaced, and a shovel belonging to John Bates gone—this is it—(*looking at it*)—I can swear to it.

JAMES LLOYD (*police-constable B* 161.) On the 26th of December Burton spoke to me a few minutes to three o'clock—I afterwards met the prisoner in Commercial-road, with a shovel under his arm—I secured him—he said he bought it of a man now living at Chichester.

BENJAMIN BURTON. I live in a house of Mr. Cubitt's in the brickfield at Pimlico. On the afternoon of the 26th of December I saw the prisoner about two strides from the shed, running away—he then began digging where I thought he had no business to dig—it was about twenty minutes to three o'clock—he had not been at work in that part of the premises for some time—I met the policeman, and told him.

Prisoner's Defence. I had the shovel in my possession about three weeks—I was out looking for work that day.

ABRAHAM DAVIS *re-examined.* I can swear to it from a thousand—I never saw a handle marked like that before—I have worked with it, and always had the care of it to lock it up—the prisoner has been employed by Mr. Cubitt, but not lately.

GUILTY. Aged 19.—Confined Three Months.

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412. EDWIN BISHOP and CHARLES WILKINSON were indicted for stealing, on the 20th of December, 2 pewter pots, value 2*s.* 6*d.*, the goods of Charles Temple; 1 pewter pot, value 1*s.*, the goods of John Curd; 1 pewter pot, value 1*s.*, the goods of William Bridge; and 1 pewter pot, value 1*s.*, the goods of Ann Caslake.

JOHN EATON (*police-constable S* 193.) On the 30th of December I was in High-street, Camden-town, between four and five o'clock in the afternoon, and saw the two prisoners in company together—I watched them—they got over into a field opposite Mornington-crescent—I got over the

fence—they then both ran away in different directions—I stopped Bishop, and said, "Halloo, what are you doing here?"—part of a pot dropped from under his coat—I said, "How many more have you got?"—he said, "I will give you all I have got"—I found three pints and one quart on him, all cut up as they are now—I asked him where he got them from—he said, "I will tell you the truth; we stole four pints and one quart, and *Charley* cut them up"—I took him back to where I had seen them both standing, and there I found this pint pot whole—I took him to the station-house, and on Sunday night Wilkinson was apprehended—I found him in custody, and said, "Halloo, *Charley*, what, caught at last? I want you, about the pots"—he said, "I know nothing about it."

Cross-examined by MR. ADOLPHUS. *Q.* You did not know Bishop before? *A.* No—he is much younger than Wilkinson—I believe he always bore a good character, and that this is his first offence—the field belongs to Mr. Rhodes, the cow-keeper—people do sometimes cross it.

CHARLES TEMPLE. I keep the Britannia public-house, at Camden-town. Here are the parts of two quart pots of mine—we give a guinea a dozen for quarts, and 15*s.* for pints.

JOHN CURD. I keep the Fitzroy Arms, Camden-town, which is about one-eighth of a mile from the Britannia public-house. This is my pint pot—I serve persons in the same street as Mr. Temple does—our pots are very frequently hung on the railings in the same street as his.

Cross-examined. *Q.* You do not know when you lost it? *A.* No, nor where from.

ROBERT BRIDGE. I am the son of William Bridge, who keeps the Oxford Arms public-house, Seymour-place, about two hundred yards from the Britannia public-house—this pot is his.

WILLIAM JAMES BUDD. I am a policeman. I apprehended Wilkinson—he denied the charge.

Wilkinson's Defence. I know nothing at all about it—I was at work at the time.

(Bishop received an excellent character.)

BISHOP—GUILTY. Aged 17.—Confined Ten Days.

WILKINSON—GUILTY. Aged 19.—Transported for Seven Years.

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413. FREDERICK WILLIAM SITTON was indicted for embezzlement.—2nd COUNT, for stealing a half-crown and 3 shillings.

EDWARD BULL. I am a currier, and leather-seller, and live in High-street, Shoreditch. The prisoner was my warehouseman for nearly thirteen years—he served part of his apprenticeship with myself and brother, but left us about three years—he had been in our joint employ seven or eight years, but my brother and I dissolved partnership about eighteen months ago, since which he was in my sole employ—on the Friday previous to the 21st of December I caused my brother John to mark eight half-crowns and five shillings—next morning he marked ten shillings in my presence—I delivered the eight half-crowns and five shillings to Hedgeman, and the ten shillings my brother handed to Mr. Brown—on Saturday, the 21st of December, a little after one o'clock, the prisoner left to go to dinner—I called him back, and engaged his attention in the counting-house, while my brother fetched an officer, who took him, searched him, and found a half-crown in his outside jacket pocket, and in a purse in his trowsers pocket three shillings—the half crown was one of those marked on the Friday, and the three shillings had been marked that morning.

Cross-examined by MR. BODKIN. Q. Was not some gold found on him? A. I think a half sovereign—I said nothing to him till the officer came—my brother has no interest in the business.

JOHN BULL. I live in Charles-square, Hoxton. On Friday, the 20th of December, I marked some half-crowns, and five shillings, and gave them to my brother—next morning I marked ten more shillings, and gave them to Mr. Brown—I was at my brother's shop that morning, and saw Brown's servant served by the prisoner with a score of mats, which came to 16*s.*—I also saw Archer in the shop—he was served by the prisoner—directly after he served Archer, I carried the till up stairs, and examined the money—I selected all the marked money, and found a deficiency of three shillings, which were marked on Saturday morning, and one half-crown, which had been marked on Friday night—I went to fetch an officer, who searched the prisoner, and found in his jacket pocket several papers and bills, an order which Mr. Brown's servant had brought for the delivery of the mats, and a half-crown piece marked—his other pockets were searched, and from his purse the officer took out three marked shillings, with other money.

Cross-examined. Q. Did you take the till away while the prisoner was there? A. The prisoner was not in the shop when I took it out—he was gone back to the warehouse, which was his usual station—he had not left a minute—I went out while Archer was paying the money to him, and returned directly—Brown's servant had been gone about twenty-five minutes—I was occasionally in the counting-house in the interval—the till was never locked—there was about 3*l.* in it.

THOMAS HEDGEMAN. I live at No. 218, High Holborn. On Friday, the 20th of December, I received from the prosecutor eight half-crowns and five shillings marked—I handed them, on Saturday morning, to Mr. Archer—(*looking at half-a-crown*)—this is one of them.

Cross-examined. Q. Did the prisoner bear a good character in the prosecutor's employ? A. He did till within the last three months.

THOMAS ARCHER. I am a currier, and live in Gerrard-street, Soho. On Saturday, the 21st of December, I received eight half-crowns and five shillings from Mr. Hedgeman—I went with it to Bull's, and bought things amounting to 25*s.* 2*d.*—the prisoner served me—I paid him the eight half-crowns and five shillings I received from Hedgeman—I had previously marked them myself besides—(*looking at a half-crown*)—this is one of them.

EDWARD BROWN. I am an upholsterer, and live in Curtain-road. On Saturday the 21st of December, I received ten shillings from Mr. Bull, marked—I delivered them to my servant Edward to go to Bull's for twenty mats, which came to 10*s.*—(*looking at three shillings*)—these are three of the shillings.

WILLIAM EDWARDS. I am servant to Mr. Brown. On the 21st of December I received ten shillings from him, went to Bull's, bought some mats of the prisoner, and paid him the same money.

WILLIAM DEARMAN (*police-constable G* 162.) On Saturday, the 21st of December, I was called into the prosecutor's shop—I found the prisoner behind the counter—I searched him by desire of Mr. John Bull, and found in his jacket pocket a half-crown and a halfpenny, and in his other pocket half a sovereign three half-crowns, and three shillings, which I have produced—he was charged with stealing them, and made no answer.

Cross-examined. Q. Did he pull the papers out of his jacket pocket? *A.* Yes—I pulled the money out myself—he pulled out his purse.

(John Coombs, George's-place, Hackney-road; James Stanton, Kingsland-road; Robert Innocent, watch-maker, Hackney-road; Peter Kennedy, hair-dresser; Edmund Hunt, Thomas-street, Hackney-road; Augustus Wynn, Great Chamber-street; and William Turner, Hackney-road; gave the prisoner an excellent character.)

GUILTY on the First Count. Aged 33.—Transported for Seven Years.

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414. CHARLES WILLIAMS was indicted for stealing, on the 2nd of January, 11 handkerchiefs, value 2*l.* 11*s.*; and 2 yards of silk, value 8*s.*; the goods of William Tent; to which he pleaded

GUILTY. Aged 22.—Transported for Seven Years.

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415. MARY TUNSTELL was indicted for stealing, on the 28th of December, 2 pairs of shoes, value 4*s.*, the goods of Jacob Russell.

William John Smallshaw. I am assistant to Mr. Fleming, a pawnbroker, in Newgate-street. On the 28th of December, about five o'clock, the prisoner came and offered a pair of shoes to pawn for 2*s.*—I saw a mark on them, which I knew to be Mr. Russell's—I offered her 1*s.* on them—she went out, and brought in another pair—I asked her where she got them—she said she bought them in Holborn—I said I should stop them—she went out, and did not return till Monday morning, when she came, and said she was come to retrieve her character about the shoes—I asked her how she got them—she said a woman outside had given her them to pawn, and she had not seen her since—I gave her in charge—our shop is about a quarter of a mile from Russell's—I had seen the prisoner at the shop before, about two years ago, selling braces, and stocks, and things.

Joseph Daniel. I am salesman to Jacob Russell, a pawnbroker, in Fore-street. These shoes are his, and have his mark on them—they have never been sold—they were safe in the shop on the afternoon of the 28th—a person had tried the shoes on in the shop that afternoon—it was not the prisoner.

Joel Cheney. I am a policeman. I took the prisoner in charge from Smallshaw, with the shoes.

Prisoner's Defence. I have been in the habit of selling stocks, and braces, and stiffners about—a young woman, who I often met in my rounds, accosted me, and said she and her sister had been keeping Christmas, she wanted a shilling or two, but being rather in liquor, did not like to go into a pawnbroker's, and got me to pawn them—the young man offered 1*s.*—I went out to her—she then said, "My sister's must go as well," and I took these in—the gentleman stopped them—I came out and told her, and she went away down Butcher-hall-lane—on Monday I went to tell him how I came by the shoes, and he gave me in charge. NOT GUILTY.

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416. JOHN HOOD was indicted for bigamy.

Mr. Prendergast *conducted the Prosecution.*

Jane Eliza Wood. I am the sister of Sarah Wood. I was present at her marriage to the prisoner, on the 22nd of October, 1838, at Shoreditch church—they had been acquainted nearly two years—they did not sleep together regularly every night afterwards, but he visited her until March—he generally came two or three times a week after the marriage—Mr. De Coster, who brought the prisoner up from infancy, was to put him in busi-

ness, and he arranged with my sister that she should stop at home until he did put him in business—I did not hear that from the prisoner—I knew it from my sister—I have frequently heard the prisoner say, Mr. De Coster was to put him in business—the interviews between him and his wife took place at the house where I lived with my sister—they were in a private apartment, in the front parlour—I was not present at all times—they usually sat alone.

Cross-examined by MR. PHILLIPS. *Q.* There was nothing, I suppose, to prevent your going in and out of the room when he visited your sister? *A.* No, nor any of the family—I was at the wedding—we all returned home—the prisoner lived with his aunt, in Clifton-street—my sister accompanied him to Mr. De Coster's—she came home again that day, and the prisoner with her—he did not sleep in our house that night—he never slept there—my sister lived in the house—I never saw the second wife till she came to us—I saw her at our house before her marriage—she inquired of me whether the prisoner was married to my sister—I fully satisfied her that he was married—I called my sister down to satisfy her of that, and she satisfied her she was his wife in every respect—I did not hear what she said to her myself—I told Miss Riseley they were married.

MR. PRENDERGAST. *Q.* Your sister and her had an interview? *A.* Yes—I never knew my sister and the prisoner to go any where besides the front parlour—they were never in any bed-room in the house, to my knowledge—they remained some hours together—he generally stopped three or four hours—they generally remained the whole time by themselves.

COURT. *Q.* On the day of their marriage they returned to your mother's house? *A.* To my elder sister's house; I have no mother—in the afternoon, about three o'clock, they went to where the prisoner lodged, and returned about seven o'clock in the evening—he remained till about eleven o'clock—they were in company with the family all that time, and then he went away alone—he continued to visit my sister until about the middle of March—my sister is living now.

ELIZABETH WOOD. I am the sister of Sarah Wood. On the 22nd of October, 1838, I was present at her marriage to the prisoner at Shoreditch church—they went home to my house, and dined, and about four o'clock in the afternoon went to Clifton-street, which was the prisoner's residence at that time—they left together to go there—the prisoner said he was going there—they returned about seven o'clock in the evening together—my sister was twenty-seven years old—the prisoner was twenty-two or twenty-three—they were married by license.

GEORGE YARROW. I am clerk of Shoreditch church. I produce the register of marriages—I have an entry of marriage on the 22nd of October, 1838, between William John Hood and Sarah Wood by license—witnessed by myself and Jane Wood.

ROBERT BAALHAM. I am parish clerk of St. Paul's district parish, Islington. Marriages have been performed there about five years—I have an entry of the marriage of William J. Hood and Elizabeth Stocker Riseley witnessed by Charles and Lydia Iveson—I think I can recollect the prisoner—they were married by banns—our church is about a mile and a half from Shoreditch.

CHARLES IVESON. This is my hand-writing to the register—I was present at the marriage of the prisoner with Elizabeth Stocker Riseley—my wife was the other witness.

LYDIA IVESON. I was present at the marriage of the prisoner with Miss Riseley—my name is to the register.

ELIZABETH STOCKER RISELEY (*examined by* MR. PHILLIPS.) I was married to the prisoner—I knew he was married before I had him—I saw his first wife—he lived with me up to the time of his apprehension—he behaved to me as kind as possible—no man could behave kinder—I have one child by him.

COURT. *Q.* What condition of life were you in? *A.* A dress-maker—the first wife told me she refused to live with him, and he was at liberty to marry if he liked, and most likely he would marry me—she told me she had never lived with him, and I thought therefore the marriage did not stand good, and so did he—she told me herself that she never lived with him, and he lived at our house when they were married.

GUILTY. Aged 23.—*Recommended to mercy by the Jury and Prosecutrix.*
—Confined Six Months.

417. JOHN COOPER was indicted for stealing, on the 5th of January, 17lbs. weight of copper, value 18*s.* 3*d.*, the goods of Josiah Tyler and another; to which he pleaded

GUILTY. Aged 38.—Confined Three Months.

NEW COURT.—*Tuesday, January 4th*, 1840.

Sixth Jury, before Mr. Sergeant Arabin.

418. SARAH READ was indicted for stealing, on the 28th of December, 1 gown, value 4*s.* 6*d.*; and 1 pocket, value 6*d.*; the goods of William Read; to which she pleaded

GUILTY. Aged 40.—Confined Six Months.

419. EDWARD WALKER was indicted for stealing, on the 18th of December, 2 pairs of boots, value 15*s.*, the goods of William Henry Brooks, his master: to which he pleaded

GUILTY. Aged 16.—Confined Six Months.

420. JOHN HYDE was indicted for stealing, on the 11th of December, 2 spoons, value 5*s.*; 1 sovereign, and 1 crown; the property of James Edwards.

SARAH EDWARDS. I am the wife of James Edwards, a type-founder, living in Moneyers-street, Hoxton New-town. The prisoner lodged there three weeks—he told me he travelled for a blacking-maker—I missed some articles on the 15th of December, but did not suspect him—I mentioned to him that I had been robbed—he said, "Have you indeed; have you any idea who it is?"—I said, "I don't know, I have been out, and there is no one in the house besides the people below stairs"—my property was in the back room up stairs—I know it was safe on the 10th of December—among the property was two spoons, a sovereign, and one very old crown—I have not found the spoons.

WILLIAM KIRTON. I keep a coffee-house. I have known the prisoner five or six weeks—on the 12th or 13th of December he showed me an old 5*s.* piece, such a one as I never saw before—he said he had picked it up in the City-road on the previous evening—I do not know what reign it was of.

MICHAEL JAMES FARRELL (*police-constable N* 145.) On the night of

the 20th of December I was on duty at the Hoxton station-house—I went to a beer-shop with the prosecutor, and found the prisoner concealed under one of the seats in the tap-room—it was mentioned to him at the station-house what he was taken for—he said he was innocent.

Prisoner. I stooped to pick up my hat—I did not crouch under the seat. NOT GUILTY.

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421. JOHN HYDE was *again* indicted for stealing, on the 20th of December, 1 watch, value 2*l.* 10*s.*; 1 watch-chain, value 4*s.*; 2 watch-keys, value 12*s.*; 1 split-ring, value 14*s.*; 1 seal, value 20*s.*; and 1 accordion, value 10*s.*; the goods of James Edwards.

SARAH EDWARDS. We lost this watch-chain with the seal and keys from a little case at the head of my bed on the 20th of December—it was safe on the 19th when I went to bed, and the door was locked in the night—the prisoner was still remaining in the house at that time—I consider it was safe on the morning of the 20th—I missed it about eleven o'clock in the morning—the prisoner was in the house at that time—it has not been found—I missed an accordion from the front room adjoining my bedroom.

ALFRED HULME. I am in the service of Mr. Kennedy, a pawnbroker, in Rochester-terrace, Stoke Newington. On the 19th of December, between three and five o'clock in the afternoon, the prisoner pledged an accordion with me—this is it.

Prisoner. *Q.* Did you take it in? *A.* No—I wrote the ticket, and gave you 4*s.* for it—you asked 5*s.*

JAMES EDWARDS. This is my accordion.

MICHAEL JAMES FARRELL. I am a policeman. I took the prisoner in a beer-shop, stooping down.

Prisoner. *Q.* I stooped for my hat. *A.* You were lying on your side as far under the seat as you could.

JURY. *Q.* Why did he lay down? *A.* The prosecutor went in before me, and then he laid down.

(Richard Dyer, a marine-store dealer, gave the prisoner a good character.)

GUILTY. Aged 19.—Transported for Seven Years.

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422. EBENEZER RADFORD was indicted for stealing, on the 10th of December, 12 shirts, value 1*l.* 8*s.*; 12 pairs of socks, value 8*s.*; 1 pair of braces, value 1*s.* 6*d.*; 3 handkerchiefs, value 1*s.* 6*d.*; 2 pairs of trowsers, value 15*s.*; 2 jackets, value 19*s.*; 1 cap, value 3*s.*; and 1 woollen shirt, value 3*s.*; the goods of Benjamin Prew.—2nd COUNT, stating them to be the goods of Abel Smalley.

SARAH SMALLEY. I am the wife of Abel Smalley, a mariner. Mr. Prew supplied my husband with goods—my husband had purchased the things stated of him—they were sent to our house—I had seen the prisoner several times before—I had known him four or five months—he came to my house on the 10th of December—he said, "Your husband is not going in the ship"—I said no, he was not—I said I supposed he had come from Mr. Prew's for the things—he said, "Yes," and accordingly I gave him them—I had sent to Mr. Prew that morning to tell him to come and fetch them—I went over the items of the bill with the prisoner—he tied the things up in a handkerchief, and took them away—I understood from him that he was to take them to Mr. Prew's—he said he

understood my husband had been on the Monday morning to Mr. Prew's, and had the remainder of his cash note—I knew the prisoner had been in Mr. Prew's service, and on the Saturday morning he came to my house, and offered me a card—I said I understood he had left Mr. Prew—he said "No," Mr. Prew and he had made all things right, and he should be glad to see Mr. Smalley at Mr. Prew's.

Cross-examined by MR. PHILLIPS. *Q.* Your husband was to have sailed on board the *Coromandel*? *A.* Yes—I knew he had been to Mr. Prew's to order these goods—some mistake arose about the *Coromandel*, and my husband did not go—the prisoner said Smalley was not going in the *Coromandel*, and I said he was not—I said I had not seen him since Monday—I said he was gone to Liverpool, or on board a man-of-war; that I had been keeping him six months out of employ, and I would not live any more with him—the prisoner said it was a bad job, that he had been on board the *Coromandel*, and the cuddy servant said that I would give up the goods to Mr. Prew—then the goods were brought out, and counted, and delivered by me to the prisoner—my husband did not sail—he came home the next day—I did not know where he was gone—he is here.

BENJAMIN PREW. I am a general outfitter. I served the goods in question as an outfit for Smalley—the prisoner was not in my service on the 10th of December, he had quitted it about ten weeks—I did not desire him to get these things—I never saw him after the goods were sold to Smalley, till he was in custody—I never received these goods back.

Cross-examined. *Q.* You got a letter, did you not? *A.* Yes, it has no address upon it—it is signed with the prisoner's name—I believe I had seen the prisoner on the Friday or Saturday before this communication of Mr. Smalley to me—the prisoner had been acting as a commission-agent, till about ten weeks before this, when a young man of mine left, and the prisoner went with him—I believe the young man set up in my business, and the prisoner became his commission-agent—I paid the prisoner all that was due to him—he never delivered me a bill, that I positively swear—a man named Perceval is not here—I paid the prisoner his commission every Saturday—all the parties in the shop were present when I paid him—he did not come into my employ after he left me, he merely called at the door on Friday or Saturday, and told me he had left the party where he had been—I did not give him any cards—I will not swear that no one in my employ gave him any—I have a servant named Church—I do not know whether he is subpœnaed.

CHARLES WHARTON. I am a pawnbroker in the Walworth-road. I produce these things, which were pawned by the prisoner in the name of John Smith.

Cross-examined. *Q.* Had you known him before? *A.* Yes, for eighteen months, by his coming to our shop.

COURT *to* BENJAMIN PREW. *Q.* You said there was no address on this letter? *A.* There is, at the top of the letter "Newington-road," and no number on it.

JURY. *Q.* Did you know the prisoner had possession of these goods before you received this letter? *A.* Mrs. Smalley told me about two hours after he got the goods.

Cross-examined. *Q.* Had you seen the prisoner in the mean time? *A.* No, I had not.

GUILTY. Aged 57.—*Recommended to mercy by the Jury.* Judgment Respited.

423. RICHARD WILLIAM ATTWOOD was indicted for stealing, on the 18th of December, 1 pair of trowsers, value 1*s.*; 1 waistcoat, value 6*d.*; and 1 pair of drawers, value 1*d.*; the goods of Richard Attwood; to which he pleaded

GUILTY. Aged 15.—Transported for Seven Years—Convict Ship.

424. JOHN BETTS was indicted for stealing, on the 2nd of November, 3 brushes, value 1*s.*, and 1 knife, value 8*d.*; the goods of James Samways.

SOPHIA SAMWAYS. I am the wife of James Samways, a messenger in the Treasury, living in Belgrave-place. I was robbed on the 2nd of November—I have a garden in front, and they got over the iron palisades at the bottom of the garden, between eleven and three o'clock in the night, got into the area, cut the safe, and slipped the lock—I lost three brushes, a knife, and a piece of sirloin of beef—to the best of my knowledge I have seen my knife since—it is a pruning-knife—I have had it many years—this is it—(*examining it*)—I have used it—these brushes are mine.

THOMAS IRONS (*police-constable B* 158.) I apprehended the prisoner on the 22nd of December, about two o'clock in the morning—I found the brushes and knife in his house in the morning—he was taken into custody and locked up in the watch-house.

Prisoner's Defence. These brushes I bought in Berwick-court, about twelve months ago, and I can find a person who used them.

GUILTY. Aged 34.—Transported for Seven Years.

425. JOHN BETTS was *again* indicted for stealing, on the 8th of December, 16lbs. weight of cheese, value 7*s.*, the goods of Henry Hill.

HENRY HILL. I live in Graham-street, Eaton-square. On the 8th of December I lost a Stilton cheese and another cheese, which were sent me from Worcester—they were in the area, and safe, about eight or nine o'clock in the evening of the 7th—I missed them the following morning—the safe had been locked, and the canvas was cut, and the lock pushed back—I saw part of the cheese at Queen-square a fortnight after it was taken—I think it is my cheese—it is like that I lost—I never saw the prisoner.

THOMAS IRONS (*police-constable B* 158.) I found this cheese on the prisoner's premises—he was then in custody on another charge.

Prisoner's Defence. I bought the cheese about seven weeks ago in the New Cut—I paid ready money for it.

GUILTY. Aged 34.

426. JOHN BETTS was *again* indicted for stealing, on the 22nd of December, 1 dead hare, value 4*s.*; and 2 dead pheasants, value 6*s.*; the goods of Sir George Mundy, knight.

THOMAS IRONS (*police-constable B* 158.) I was on duty in Queen's-row, Pimlico—I saw the prisoner come down Arabella-row, about three hundred yards from Sir George Mundy's, about two o'clock in the morning, on the 22nd of December—he had a bundle, partly concealed—he was walking very fast on the dark side of the road—I asked what he had got—he hesitated, and then said it was a bird—I said, "What kind?"—he said, "A pheasant"—I said it appeared very large—he said he had two—I took him to the station-house, and asked where he got them—he said from a brother-in-law in the service of Mr. Stewart—I went there, and no such person was there—I opened the bundle, and it contained a hare and two pheasants, all dead.

DIANA COLE. I am housekeeper to Sir George Mundy, knight, No. 2, Grosvenor-street West, Pimlico. On the 21st of December I saw this game—it was sent that day, and was hung up in the area—I saw them again in custody of the policeman—I knew them, and I knew the string I had tied on the birds—I did not see them after dark on the 21st.

Prisoner's Defence. I got them from this friend, who had them from the country—I did not say my brother was in Mr. Stewart's service—I said he had lived with him.

GUILTY. Aged 34.—Transported for Seven Years more.

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427. JOHN BATES was indicted for stealing, on the 23rd of December, 1 handkerchief, value 3*s.* 6*d.*, the goods of Andrew Bessell, from his person.

ANDREW BESSELL. On the 23rd of December I was in Newgate-street, a little after six o'clock in the evening—I had a handkerchief in my pocket—I felt a tug at my pocket, and instantly turned round, saw the prisoner make off, and drop the handkerchief—I pursued, and overtook him—the policeman came and took him—I never lost sight of him—this is my handkerchief—(*examining one.*)

Prisoner. *Q.* Can you take your oath you saw me take the handkerchief? *A.* No, but I saw you drop it, and run away—you were close to me when I turned round—I did not say I had a doubt of him—I said I did not wish to prosecute him on account of the inconvenience.

Prisoner's Defence. It was very wet—I was running along, and the prosecutor ran and took me—he was there about ten minutes, and a gentleman brought the handkerchief up to him—the prosecutor had a doubt of me, and was willing to let me go.

GUILTY. Aged 18.—Transported for Ten Years.

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428. JOHN JOHNSON was indicted for stealing, on the 20th of December, 1 umbrella, value 4*s.*, the goods of John Green.

ELIZABETH PAPWORTH. I am married, and live opposite the prosecutor's, who keeps an umbrella shop. About eight o'clock at night, on Friday, the 20th of December, I was looking through my window—I saw two men, and a young man in a butcher's frock, who had an umbrella, looking at it, under the gas, about two doors from the prosecutor's shop—the two men went back to Mr. Green's shop, and the butcher went on to White Lion-street, with the umbrella up—a man came out of Mr. Green's shop, who disturbed the two men, who were lurking about the door—I went out and told Mrs. Green—on Sunday the prosecutor sent for me, and said he had lost an umbrella—I cannot swear that the prisoner is the person I saw with the umbrella.

JOHN GREEN. I keep an umbrella shop in Monmouth-street. Papworth came and told me about two men being about my door—I did not miss an umbrella then, but three minutes after I missed it—I gave information to the policeman, and heard no more till half-past nine o'clock on Saturday night, when the policeman came and told me something, and I saw my umbrella—the prisoner was in custody, but I did not see him till the Tuesday, and then he had a butcher's frock on under his coat—I saw the umbrella at Hatton-garden, and swore to it.

GEORGE JOHN RESTIEAUX. I am a policeman. At two o'clock in the night of the 25th of December, I looked down a cellar in Carrier-street, St. Giles's, and saw the prisoner with his head concealed under a flap—

I went down, and pulled him up—the umbrella was under him—I said, "Is this yours?"—he said, "Yes"—I took him to the station-house, and then he said he knew nothing about it—at the office he said he bought it of a man, in Sloane-street, Chelsea, for half-a-crown—he had a butcher's frock on under his coat, as he has now.

Prisoner. The umbrella stood on the stairs of the cellar. *Witness.* You were lying on your back, with the umbrella under you.

JURY. *Q.* Was he in liquor? *A.* No—it was a new umbrella, and not spotted with wet.

GUILTY.† Aged 20.—Transported for Seven Years.

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429. JOHN COSGROVE was indicted for stealing, on the 4th of January, 7 yards of floor-cloth, value 17*s.*, the goods of Joseph Brumbley.

JOSEPH BRUMBLEY. I am a broker, and live in Drury-lane. On Saturday morning, the 4th of January, I had seven yards of oil-cloth—directly I opened the shop I went backward—a neighbour came in and told me something—I ran out and saw the prisoner, in Great Wild-street, in custody of an officer—the prisoner gave the floor-cloth to the policeman, and ran away—he passed me—I caught his coat, and tore one side off—I chased him down to Clare-market, and there lost him for a few minutes—a gentleman passing said he had run into the Black Jack public-house—the policeman went in, and found him with a short pipe and a pint of beer—I can swear to him—this is my floor-cloth.

MICHAEL GERSHON. I was standing at my door at a quarter-after nine o'clock last Saturday morning—I saw a man running with some floor-cloth under his coat—I went to my neighbour's, the prosecutor's, and he missed it—I told him which way the man ran—he ran after him—I cannot swear to the prisoner—I only saw his back.

THOMAS REYNOLDS (*police-constable F* 55.) I was going up Great Wild-street at a quarter-past nine o'clock—a boy came and spoke to me—I turned, and saw the prisoner coming up with the cloth on his shoulder—I asked him whose cloth he had got there—he said his own—I was about to lay hold of him—he threw down the cloth, and ran away—I pursued, and after that found him in a public-house—he had his coat off, and some beer just warming for him.

Prisoner's Defence. I was coming up Drury-lane, and a man asked me to carry it for him—he gave me a shilling, which I gave for a pint of beer.

GUILTY. Aged 22.—Transported for Seven Years.

OLD COURT.—*Wednesday, January 8th,* 1840.

Third Jury, before Mr. Sergeant Arabin.

430. HENRY DUGWELL was indicted for burglariously breaking and entering the dwelling-house of John Day, about the hour of eleven in the night of the 21st of December, at Christ Church, with intent to steal, and stealing therein, 311 printed books, value 30*s.*; and 6 pictures, value 1*d.*; his goods; to which he pleaded

GUILTY. Aged 17.—*Recommended to mercy.*—Confined Six Months.

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431. RICHARD CHANDLER was indicted for stealing, on the 2nd

of January, 1 mare, price 6*l.*, the property of John May; to which he pleaded

GUILTY.* Aged 20.—Transported for Ten Years.

432. JOHN NICHOLLS was indicted for burglariously breaking and entering the dwelling-house of William Harris, on the 15th of December, at St. Matthew's, Bethnal-green, with intent to steal, and stealing therein, 1 umbrella, value 5*s.*; 1 sheet, value 4*s.*; and 1 table-cloth, value 1*s.*; his goods; to which he pleaded

GUILTY. Aged 19.—Confined Six Months.

433. JOSEPH PARKER was indicted for stealing 3 gallons of spirits and 16lbs. weight of sugar, value 1*l.* 2*s.*, the goods of Sir Felix Booth, Bart., his master; to which he pleaded

GUILTY. Aged 35.—*Recommended to mercy.*—Confined Three Months.

Before Mr. Baron Gurney.

434. GEORGE BROWN, JAMES GRAHAM, and ROBERT HOLLIDAY were indicted for feloniously making three pieces of counterfeit coin, resembling, and apparently intended to resemble, and pass for three pieces of the Queen's current sixpences; to which Holliday pleaded

GUILTY. Aged 22.—Transported for Fifteen Years.

THE HON. MR. SCARLETT *and* MR. BODKIN *conducted the Prosecution.*

WILLIAM STANNARD. I am a police-sergeant. On the 30th of December, at half-past three o'clock in the afternoon, I went to a house in Church-street, St. Giles's, with Scotchmer and Fink, two other policemen—we found the outer door open, and three females in the passage—we passed them—one of them cried out, "*Bill, Bill*, look out, *Bill*"—there was a door on the right hand side of the passage leading into a room which was fastened—persons inside that room could hear that call of "Look out, *Bill*"—we broke open the door, and found it had been fastened by a bed-screw in the floor, about eighteen inches from the bottom of the door, and a piece of wood put up against it—on entering the room I found the three prisoners there, standing by a large clear fire—Holliday had a blue coat on—I believe the others were in their shirt sleeves—there was a table behind them—I handcuffed Holliday—he was the first that was secured—the other constables had a scuffle with the other two men, and during that time I saw something thrown towards the fire—it came from that part of the room where they were scuffling—it fell on the hob—I took it up, and found it was a counterfeit sixpence, so hot that I could not hold it, and it had a *get* attached to it—I produce it—I then proceeded to search the room—I found on the hob, by the side of the fire-place, this pipkin, with a quantity of hot metal in it, in a liquid state—the pipkin was very hot—the metal is in it now—I found two pieces of metal spoon, and a pair of scissors on the mantel-piece, and under the ashes this piece of metal—I saw Scotchmer take an iron spoon off the fire with fluid metal in it—the prisoners were secured, and taken away—Holliday's hands were white—I did not notice the others' hands.

CHARLES SCOTCHMER. I am a policeman. I accompanied Stannard to the house, and saw the prisoners in the room—Holliday had his coat on—Brown had his shirt sleeves turned up, and Graham had his jacket sleeves slipped up—there was a large clear fire, and an iron spoon on it contain-

ing metal in a fluid state, which I took off—I assisted in securing the prisoners—I saw Brown throw something towards the fire, and afterwards he threw something white into a basin which stood near the table containing water—he afterwards put his hand into it, and when it came out it was covered with a kind of composition which I found was plaster-of-Paris—in the scuffle he put his foot into the basin, and broke it in pieces, and I picked up part of the contents—I produce what was in it then—I cannot say what it had been—it is in the same state now, only dry—I handcuffed the prisoners—on the floor I found a counterfeit sixpence, and near the table two pieces of metal—within about eighteen inches of the door I found this bed-screw fixed into the floor up to the nut—when we first seized them they endeavoured to get away.

JOHN FINK. I am a policeman. I accompanied the other two officers to the house—I saw a basin under the table—I saw Brown, when I caught hold of him, step his foot on it, and break it in pieces—he did it wilfully—I did not see any thing thrown into the basin—on the floor near the broken basin, I picked up a counterfeit sixpence with a *get* on it—it was wet, and had part of the composition on it—I found some plaster-of-Paris in a cupboard near the fire-place—all the prisoners' hands were white, particularly Brown's—it was with some composition like plaster-of-Paris—there was nobody but the prisoners in the room—I found 6*s.* in silver, and a good sixpence on Brown, with composition on it.

MR. JOHN FIELD. I am inspector of coin to the Mint, and have been so many years. This is a counterfeit sixpence, cast in white metal—it has the *get* attached to it, and is in the state in which it first comes from a mould after casting—here is another counterfeit sixpence which appears to have been cast in the same mould, but the *get* is broken off—the good sixpence is not like either of the counterfeits—here is another sixpence with the *get* attached to it, which is of a different mould to the two first—here is what appears to me to be a *get* from a mould corresponding with the sixpence, and here is another part of a *get*—a mould thrown into water would present the appearance this does—there is no impression on it, but it has the appearance of having been a mould, and there is a discoloration on it as if metal had been on it—here are two pieces of Britannia metal spoons—the metal in the pipkin appears of the same description—this iron spoon would be used to lade the metal out of the pipkin, and pour it into the mould—here is a small quantity of powdered plaster-of-Paris, which would make a mould—scissors are used to cut off the *get*—here are all the materials for coining, except the mould.

Brown's Defence. I am quite innocent—I was going by the door—Holliday was standing at the door, and asked us to go in and have a game at cards—we did so—I said I would have a wash before I began—I took off my coat, and sat down to have a game at cards, and all at once the door was broke in, and in the confusion I tried to get away—we did not know what was the matter—we were not in the room ten minutes—the policeman knows we were playing at cards.

Graham's Defence. I have nothing more to say than he has said—we went in to play at cards.

WILLIAM STANNARD *re-examined.* There were cards on the table, but they were not at play.

BROWN—GUILTY. Aged 21.
GRAHAM—GUILTY. Aged 21. } Transported for Fifteen Years.

Before Mr. Justice Coleridge.

435. HENRY M'CAVE and JULIA SMITH were indicted for feloniously, knowingly, and without lawful excuse, having in their custody and possession 2 moulds, adapted and intended for counterfeiting the Queen's current penny pieces.

THE HON. MR. SCARLETT *and* MR. BODKIN *conducted the Prosecution.*

RICHARD THOMPSON. I sell baked potatoes in the street. On the 9th of December I was standing, with potatoes for sale, near Mr. Gooddy's, who keeps Storey's Gate coffee-house—a little boy, about seven years old, came up to me, and offered me a penny-piece—I referred him to Mr. Gooddy—he went in there, and I followed him—I had seen the female prisoner along with the child, and when he came to me she went away, and kept walking about—I followed the boy into Mr. Gooddy's, and found him there, and Mr. Gooddy and two gentlemen—while I was there the female prisoner came to the door—she was called in, and asked if she had sent the child in with that penny-piece—she said yes, but she did not know it was bad—she was asked if she had got any more about her, and said, "No"—the gentleman there just touched her clothes, and shook them, and immediately down fell eight more penny-pieces—she was taken into custody, and the child also detained—I accompanied them to the station-house, and on the way two more penny-pieces fell from her person, which the constable picked up.

Smith. *Q.* Did not you send the child into the coffee-shop? *A.* Yes, to get change for the penny—I was not told it was bad before I sent him in.

COURT. *Q.* How came you to have any thing to do with the penny? *A.* The boy came to me for a baked potato, which came to a ½*d.*, and I could not give him change—I had no money at all about me.

JOHN GOODDY. I keep a coffee-house at Storey's Gate. On the evening of the 9th of December a little boy came into my house, gave me a penny, and wanted change—I looked at it—it was a bad one—I asked where he got it—I called in the female prisoner, and questioned her—she said she did not know any thing of the penny, that the baked-potato man gave it to the boy, and sent him in with it—I did not ask if she had given it to the boy—I then sent for the potato-man, and asked him if he gave it to the child—he said the boy had offered it to him, and having no halfpence, he sent him for change—I asked the woman if she had any more money, and requested Mr. Darwin to shake her—he put his hand to her waist, and eight penny-pieces fell from her, which were taken up—I sent for a constable, and gave Smith and the boy into custody—I marked the penny which was given to me, and gave it to the policeman—on the way to the station-house something dropped from her, which appeared to be two penny-pieces—the constable took them up.

MORRIS DARWIN. I am an acquaintance of Mr. Gooddy's, and was at his house. I remember the boy coming in—I went out, and found Smith close to the door—I asked her to come in, which she did—she denied giving the boy the penny—I said, "Old girl, I think you have some more money about you"—she said, "No, I have not"—I shook her, and eight penny-pieces fell from her—I took them up, and gave them to the constable—I did not mark them—they were not out of my possession till I gave them to him—on the way to the station-house I was close behind her, and saw two more fall from her, which the constable took up.

Smith. *Q.* Did not I come in myself? *A.* No, I went out to tell you to come in.

MR. BODKIN. *Q.* How long were the penny-pieces in your possession? *A.* About five minutes—I kept them in my hand all the time—I saw they were bad, and corresponded with the one tendered for change.

ROBERT M'ELRIE. I am a policeman. I took Smith and the boy into custody at Mr. Gooddy's—I received eight counterfeit penny-pieces from Mr. Darwin—I have had them in my possession ever since, and produce them—I received another from Gooddy—on the way to the station-house Smith dropped two from her person, which I took up and produce—I delivered her to a woman to search at the station-house—I learnt from the boy where they lived—I searched the room, of which I got a direction, and found a mould on a shelf above the fire-place, close to some shoemaker's leather—I found in the room also a tin plate, containing some fresh pewter or metal, concealed under the window sill, covered over with old cloth, in a hollow—the cloth laid over it—I found a bad shilling in a cupboard in the room, some blue vitriol, and some plaster-of-Paris—there was a fire-place in the room—I looked about it, and noticed some small particles of this metal scattered about—I left a constable in the room, and went to the police-office—I afterwards returned to the room, stopped there till the male prisoner came, and took him into custody—I did not ask him whose room it was—he did not deny living there—I found a file on the fire-place—when he came into the station-house he said he lived with Smith in the room—I am not aware that what he said was taken down in writing—the charge was written down—I am not aware that the officer writes down the answer which a prisoner gives—he was asked in my presence if he knew the female—he said he did, and he lived there with her—she was in the cell at the time.

M'Cave. The shelf the leather was on is along the room, not over the fire-place—it was sufficient to make three or four pairs of soles. *Witness.* I found it on a shelf over the fire, like a mantel-piece—the leather was given up to his employer.

MARY WILSON BRAIN. On the 9th of December I was sent for to the station-house to search Smith—I opened the front of her dress, and a bad penny-piece fell from her—in a pocket by the side of her dress I found a good penny-piece, and a halfpenny in another pocket—I marked them—I have had them in my possession ever since, and produce them—she said, when I found them, "I bought them all of a boy in the street for 6*d.*, and he told me I could make more of them."

SUSAN PETERS. I live at No. 4, New Way, Westminster. I let apartments in No. 5. On the 4th of December the prisoner Smith came to me about taking the parlour—she called herself M'Cave—the man was not with her, but the little boy was—I let her the room—she said she had a husband who was a shoemaker—she lived in the house, but I never saw the man—I never went into the room after she took it—there was no key to the room, and I said I did not wish to let it to her till I got a key, but she said, "Never mind the key, you can get it afterwards."

Smith. *Q.* Did you ask my name? *A.* Yes, and you said it was M'Cave.

M'Cave. *Q.* Is there more than one shelf in the room? *A.* Yes, there is a side-shelf on the left-hand side as you go in.

ANN CRAWLEY. I live at No. 5, New-way. The two prisoners livde in the back-parlour—I saw M'Cave there twice—I remember Smith being

taken on the 9th—I had seen M'Cave go out about a quarter before eight o'clock that morning—I saw Smith going in and out two or three times a day.

M'Cave. *Q.* Did you ever see me in the room? *A.* No, but I saw you going up the steps, and go into the passage.

LOUISA CRAWLEY. I live with my father and mother in the kitchen of this house. I saw M'Cave, on the 6th of December, go up the steps—he asked me to hold a pair of shoes for him—the steps lead into the passage to their apartment—I did not see him go into the parlour—I saw him on Monday, the 9th, with some leather, between ten and eleven o'clock—I saw him take the leather into the back-parlour in his apron—I saw him come down the steps, and go down the street, about five minutes after, without any thing in his apron.

M'Cave. *Q.* Was it not on account of a young man asking me to help him push up a truck that I gave you the shoes to hold? *A.* No; it was not that day that you brought the leather—it was on the 9th.

ROBERT M'ELRIE *re-examined.* It was the back-parlour I searched —I was present at Queen-square office when the prisoners were examined —M'Cave denied knowing any thing of Smith, and she denied knowing any thing of him.

M'Cave. *Q.* Did I not acknowledge that the children belonged to me? *A.* Yes, at the next examination—you were twice before the Magistrate—the child gave the name of M'Cave at first—Smith gave two names.

MR. JOHN FIELD. I have examined the mould produced—it is a plaster-of-Paris mould for casting penny-pieces—it has the impression of the obverse side on one part, and the reverse on the other part—I have no doubt it has been used for casting penny-pieces—I have examined the penny-pieces—they are all counterfeit, and made from lead—I have every reason to believe the whole have been cast in this mould, but one of them I can speak to undoubtedly as being cast in it—a good penny-piece has been produced, which corresponds in all respects with the mould, and I believe the mould was made from it—there is a fresh appearance on the copper, as if plaster-of-Paris had been on it, and it is of the same date and appearance as the counterfeit ones—the metal produced is lead or pewter—blue vitriol produces on it the colour of copper—here is a small *get*, which fits the mould, and appears to have been cast in it—the file has white metal in the teeth of it, which would remove any of the surface.

Smith's Defence. On the day I had these in my possession the boy came to me and sold me twelve penny-pieces for 6*d.*, which he said were all good, except being dull; that he worked in a dust-yard, and found them among the dust.

M'Cave's Defence. I know nothing of this circumstance at all—I have lived and worked with my father these two months, since I came from the country—Smith had been living with me, but, on account of a dispute, we parted, and she took the room—no doubt she said she was married, or the woman would not have let her the room—I wished to compromise matters with her, and certainly called twice to see her on account of the children.

DAVID VENABLES. I am a journeyman tinman and brazier. I have known M'Cave two years last new-year's-day—he was taken into custody four weeks last Monday—he was in my place at the time—he sat talking

on Monday from half-past one o'clock till about a quarter after seven, and on Sunday he was there all day—he left about eight o'clock on Sunday evening—he lived in the New-way, but I was never in his place—I have known Smith as long as I have known her husband, I mean M'Cave—I do not know where she lived.

M'Cave to ROBERT M'ELRIE. *Q.* Did not you state to the witness Venables that it would pay him if he came against me; he would get 5*s.* a-day? *A.* I went to Venables' house, the night I took the prisoners, to inquire if he knew anything concerning their character, or if he was aware that she lived with him—he could give me no information, and I went away—he told me he knew him when he went into the country, and he had been out hopping—I have no recollection of telling him he could get 5*s.* a-day if he came against you—I think I said if we required him we should send from Queen-square for him as a witness, if the Magistrate required it; but as he could not prove they lived together, I thought it would be unnecessary, but I told him to be in the way—I have no recollection of mentioning the 5*s.*

COURT. *Q.* Did you ask him to come as a witness against the prisoner, and tell him he should have 5*s.* a day? *A.* I have no recollection—I told him to be in the way, and if the Magistrate thought it necessary I would come for him—a good deal of discourse passed, as I wanted to know whether he knew him, and whether they both lived together—I have no recollection of telling him he should have 5*s.* a day if he came against the prisoner—I cannot exactly say I did not—I did not take him to a gin-shop to drink, but he took me—he came out, and was inquiring about the case, and he said, "Will you have a glass of gin?" or ale, I think it was, and I went, and had a glass of gin or ale with him, but nothing passed that I am aware of—I was about four or five minutes with him in the gin-shop—it might be three minutes—our long conversation was in his house—I ascertained he would be of no use as a witness before I went into the gin-shop—I went with him because he asked me more than once or twice—I am not positive I did not tell him he would have 5*s.* a day if he came as a witness against the prisoner—I would not undertake to say I did not, until I remember a little more—(*pausing*)—I have no recollection of it.

DAVID VENABLES *re-examined.* I first saw the policeman in the passage—I was going across the court to go into my mother's, and a man said, "Somebody wants you"—I said, "Who wants me?" and I poked my hand into a policeman's hands, who was not in a police dress—they both came up, and were in my place about ten minutes—they told me what they wanted—I came down stairs, and this man said to me, "It is a cold night; cannot you stand something to drink?"—I said, "I don't mind," and I went, and stood a quartern of gin with him and the other policeman—we were in the public-house nearly half-an-hour while the other policeman was talking to another person—this man and me and my wife were talking together—on the next Monday evening this policeman came up again to my room, and was there about an hour and a half—it was just a week after the prisoner was taken—he sat there talking, and said, "If you can find out any thing respecting them it is better pay than for felony, it is 5*s.* or 5*s.* 6*d.*, I can't say which—I have three more witnesses who can prove it at home"—I said, "If I can do the prisoner any good I don't want money"—he said, "No, but it is your loss of time"—I said, "I don't mind that."

HENRY M'CAVE. I am the prisoner's father, and am a journeyman shoemaker. When the prisoner came from the country he was working and sleeping in my room—that is about three months ago—I heard on the Monday of his being taken—I live at No. 80, Peter-street, and am married—I have known Smith three or four years—she occasionally comes to my room, but does not sleep there—I have heard she lived with my son, but he is innocent.

M'CAVE—NOT GUILTY.
SMITH—GUILTY. Aged 29.—Confined Two Years.

436. WILLIAM M'CAVE (the boy alluded to in the above case) was indicted for uttering a counterfeit 1*d.* piece; upon which no evidence was offered. NOT GUILTY.

Before Mr. Baron Gurney.

437. ANN CRONIN was indicted for stealing, on the 3rd of December, at St. Mary Matfelon, *alias* Whitechapel, 3 shifts, value 10*s.*; 1 pair of stockings, value 2*s.* 6*d.*; 2 towels, value 2*s.*; 3 handkerchiefs, value 6*d.*; and 1 table-cloth, value 10*s.*; the goods of Mary Ann Broughton: 1 tea-pot, value 10*l.*; 1 tea-pot stand, value 2*l.*; 1 sugar-basin and cover, value 10*l.*; 1 milk-jug, value 2*l.*; 14 spoons, value 6*l.*; 1 fish-slice, value 2*l.*; 1 butter-knife, value 12*s.*; 4 salt-cellars, value 4*l.*; 26 forks, value 15*l.*; 1 pair of snuffers and 1 stand, value 15*s.*; 2 candlesticks, value 30*s.*; 1 bottle-stand, value 20*s.*; 1 cruet, value 20*s.*; 12 knives, value 2*l.*; 1 neck-chain, value 8*l.*; 1 eye-glass, value 20*s.*; 1 brooch, value 3*l.*; 3 seals, value 3*l.*; 1 split-ring, value 10*s.*; 6 rings, value 4*l.*; and 1 box, value 10*s.*; the goods of Ann Broughton, her mistress, in her dwelling-house.

MARY ANN BROUGHTON. I am the daughter of Ann Broughton, who is a widow, and occupies a house in Alie-place, Great Alie-street, Goodman's-fields, in the parish of St. Mary, Whitechapel—the prisoner was my mother's servant. She came to us about the 29th of November, and left on Wednesday, the 4th of December—I was out at the time, and my mother was out of town—I went out at eleven o'clock on Wednesday morning, and did not return till between eight and nine o'clock on Thursday evening—she was gone then—I did not leave her in the house when I went out; I had sent her out, and I went out before she returned home—I had no knowledge of her intention to go—I found the house in confusion, and missed a copper tea-kettle—I did not miss any thing else till between eleven and twelve o'clock, when the policeman came—I then examined the house, and found the plate-box and all the plate gone—the policeman brought some linen and wearing apparel of mine, and a table-cloth—I went to the police station-house in Bow-street on Friday morning, and found the plate there, and part of the property was produced at the office.

WILLIAM TROTMAN. I am a policeman. I was on duty on the 5th of December, about ten o'clock at night, in Drury-lane, and saw the prisoner coming along, apparently very much intoxicated—I stopped till she came close to me—she dropped a quantity of plate from her person in the street, which I now produce—I asked how she came by it, she gave me no answer—I took her to the station-house, after taking up the plate, and she said it was given to her by a young man, of whom she gave a description—I found four table-spoons, two gravy-spoons, eight forks, one soup-ladle, one sauce-ladle, one caddy-spoon, and some wearing apparel on her.

CHARLES HENRY BAGNEL. I am a policeman. I was in Drury-lane that night—I saw a mob, and went over—I found Trotman taking up the plate—the prisoner at that time was in custody of a butcher—I took her from him, and took this bundle from under her shawl, containing two shifts, two towels, and a handkerchief.

ANN CLARKE. I live at the station-house, and search female prisoners—I was called to search the prisoner, and found on her a silver fork, a sauce-ladle, a salt-spoon, a table-spoon, a duplicate for a gold chain, an eye-glass, an ear-ring, three sovereigns and a half-sovereign, and 12*s.* 4½*d.*

JAMES RADCLIFFE CHESTER. I am in the service of Mr. Townsend, a pawnbroker in Little-Russell-street, Covent-garden. I have a gold chain, an eye-glass, an ear-ring, a brooch, part of a bracelet, and part of a seal, pawned by the prisoner on the 5th of December, about seven o'clock in the evening, for 3*l.* 10*s.*—this is the duplicate of them.

MARY ANN BROUGHTON *re-examined.* The plate is my mother's, the wearing apparel is mine—there are still a great many more things missing—the value of the whole lost is about 80*l.*

Prisoner's Defence. I am not guilty of the robbery, nor did I know they were stolen property; I got them when I was intoxicated, I did not steal them. The mistress I lived with before came to the station-house, and said she would give me a character. Miss Broughton's sister, who was left at home in care of the house, gave me into custody, and sent me to Denmark-street station-house.

MISS BROUGHTON *re-examined.* My sister had sent her to the station-house on the Wednesday, because she had been found drunk, and she did not know what to do with her—I had no character with her.

GUILTY. Aged 22.—Transported for Fourteen Years.

Before Mr. Justice Coleridge.

438. EZEKIEL LYON was indicted for stealing, on the 1st of January, 40 yards of woollen cloth, value 13*l.*, the goods of Samuel Botson Aldred, and another.

JAMES HERBERT. I am a warehouseman and salesman. On the 1st of January I was passing the shop of Aldred and Co., in High-street, Aldgate, and saw the prisoner with another person—they immediately separated, and I saw the prisoner go and place his back against a window, on the opposite side of the court to Aldred's shop, which is at the corner of the court—the other man took hold of a piece of cloth, which was between two doors of the prosecutor's shop, a sort of false door, and another opening into the street—it is the door of the shop—it was on a pile outside the inner door—I saw him take the cloth towards the prisoner, who held his hands out—I immediately exclaimed, "Ah, a thief!" loud enough for them to hear, and the bale of cloth was immediately dropped—I did not give the person time to put it in the prisoner's arms—the other man ran off—the prisoner walked away coolly up the court—the moment I saw the property taken care of I made after the prisoner, and brought him back to the prosecutor's shop—I never lost sight of him—I took him twenty or thirty yards from the spot—he said nothing to me till he got into the shop, and then denied having touched the cloth—I charged him with being a party concerned in it—I had not seen them talking together, nor walking together—they separated the instant I saw them.

WILLIAM LINDSAY. I am shopman to Samuel Botson Aldred and

another. On the 1st of January, about half-past four o'clock in the afternoon, I was in the act of taking the goods down from the door—there was a pile—I had got about half of them down, when the witness gave me information, and I saw a piece on the ground—I had seen it myself about a second before, safe on the pile, between the two doors—I was in the act of moving the goods off the pile, and when my back was turned this was taken—I know this cloth to be the prosecutor's property—it is worth about 13*l.*—there are forty yards.

JAMES MARTIN. I am a policeman. I took the prisoner into custody, and have produced the cloth.

(Richard Levy, a broker, gave the prisoner a good character.)

GUILTY. Aged 27.—Transported for Seven Years.

Before Mr. Justice Erskine.

439. THOMAS MORGAN and GEORGE SMITH were indicted for stealing, on the 23rd of November, 2 sacks, value 4*s.*; and 448lbs. of flour, value £3; the goods of Charles Morris Hullah.

MR. BODKIN *conducted the Prosecution.*

WILLIAM WILSON. I am a labourer. I have been committed by the Magistrate, and come from gaol to give evidence—I know the prisoners—Morgan is a baker, and I believe Smith is a biscuit baker—in November last I was in the habit of seeing the prisoners at the Hampshire Hog public-house, in Rosemary-lane, which is about half a mile from the prosecutor's premises—I was there on Friday morning, the 22nd of November, and saw both the prisoners there—Morgan asked me if I would go and ask Mr. Smith, a potato-merchant and corn-chandler in the neighbourhood, if he would buy two sacks of middlings—I agreed to do so, and went—the prisoners went there with me—they went on down North-street, and I went into Mr. Smith's by myself—I came out, and told them Mr. Smith wanted to see a sample—Morgan said he would give me a sample, and he went home and got one—Smith stopped with me till he came back—I took the sample into Mr. Smith's shop, leaving the prisoners—I bargained with Mr. Smith for it for 28*s.* a sack, if it was like the sample—next night (Saturday) I saw them again at the Hampshire Hog public-house, about six o'clock—I think Morgan told me he was going to get two sacks of middlings, and if I would go with him and push behind the truck, he would give me 5*s.*—Smith was present, and heard what was said—I agreed to do it—we were standing outside the Hampshire Hog public-house door at the time—Smith left us, and Morgan and I went to get a truck at Mr. Hurst's, in Cannon-street-road, or New-road—I stopped across the road, while Morgan went into Hurst's for the truck—he brought it, and I wheeled it a little way down into the highway, and Morgan took it the rest of the way, down to Mr. Hullah's place, at Wapping—Morgan said the men had not done work, and we had to wait at a public-house for the best part of an hour, leaving the truck outside the public-house door—it was Mr. Hall's public-house, I believe, not exactly opposite the prosecutor's premises, but not far from them, in the same road—while I was in the public-house Morgan went out, and said he was going out to see if the men had done work, that he might get the sacks—he went out two or three times—the last time he came back, and said, "It is all right, we can get them now, come along"—he wheeled the truck over, and I followed him—the gates were shut—they were opened by Smith, I believe, from the inside.

as I saw him come out after the two sacks were brought out, and shut the door—when the gates were open Morgan went in—I did not see Smith before Morgan went in—the door opened, and Morgan immediately went in—he was not five minutes getting the two sacks—he carried one out at a time—when he brought out the first sack I held the truck while he put it in—he then went back, and brought another, which we put into the truck, and then Smith came out and shut the door—he did not come out till both the sacks were put into the truck—they were taken to Mr. Smith's, in Back Church-lane—Morgan held the handle of the truck, and I helped to *shove* it—Smith ran on first, and I saw no more of him till ten o'clock that night—when we got to Mr. Smith the baker's, we did not find him at home—his sister was managing his business—Morgan and I both went into the shop—I went in first—we told Mr. Smith's sister we had brought two sacks of middlings—she said she knew nothing about them, and could not have them left there, because her brother had not said any thing about them—we took them away to Morgan's house in Thomas-street, Commercial-road, which was about a quarter of a mile off—they were put into a cupboard there—they were not taken away from there till Monday morning—I went to Mr. Smith's again about ten o'clock—Morgan and Smith accompanied me, but they did not go in—I found Mr. Smith at home—something passed between me and him—I afterwards saw the two prisoners, and told them that Mr. Smith said it was too late to have them in that night, but to bring them as soon as I liked on Monday morning, and he would have them—it was arranged that I should take them on the Monday—when I first saw Mr. Smith on the Friday, he said he should like a sample of them, so that he could go and see if he could find a shop to put them away at—I told Morgan and Smith that—he also asked if I knew where they came from, and told me I need not be afraid of his saying anything—on Monday morning, before I was up, Morgan came to my father's house, and I went with him up to Mr. Smith's—he was at home—Morgan went in with me that morning, and Mr. Smith said he would rather have nothing to do with them, that he had been offered a good price, but not so much as we said they were worth—I said they came from down Wapping—Morgan was present—on the same morning I went with Morgan to try to sell them—he went home, got a sample, and took it to a person in a street opposite the George, Commercial-road—he is a bread baker—Morgan went into the shop first with the sample—I stopped outside, a long way from the shop—Morgan came to me again, and said the man had offered him 2*l.* 5*s.* for the two sacks, and he would go back and tell him he should have them for 2*l.* 6*s.*—he went back, and told me he was to have 2*l.* 6*s.* for them—Morgan then went and borrowed a truck at the first turning in the Commercial-road, past the turnpike—I went with him to the turnpike, and waited there while he went—he did not say where he was going to get it—I saw him go down the first turning past the Commercial-road turnpike—he returned with the truck in about five minutes—we then went to Morgan's house and got the two sacks of flour—he carried one out, and I the other—I put them into the truck, and we took them to Davis—I went with him—the truck was backed up close to the door, and the sacks shot up on the pavement, and Morgan and the master of the shop pulled them in—Davis gave two sovereigns a 5*s.* paper of coppers, and 1*s.* to Morgan—I believe one of the sacks had a black ring on it, but I did not notice it parti-

cularly—I think there were two letters inside the ring, but I did not notice the marks—there were letters in between the black marks, I know—I saw two or three letters, but I do not know how many—the sacks were left at Davis's—it was about ten o'clock in the morning when we delivered them—between ten and eleven o'clock, I think—I did not see the prisoner Smith that morning till we were getting them into the truck, at Morgan's house, at the top of the court—Morgan lives at the corner of a court—Smith did not come near the truck at all—he left us—I did not have any conversation with him—Morgan spoke to him, but he did not take notice of the sacks—he was about as far from the sacks as I am from the Bench—it is about a quarter of a mile from Morgan's house to Davis's—I next saw Smith walking down the Commercial-road, as we came back with the truck, about half-an-hour after we had left the sacks at Davis's—he was coming down the Commercial-road, past the turnpike, on the left-hand side—Morgan was with me—I was dragging the truck home—Morgan and Smith joined together—I saw him give Smith some money—I do not know how much—I did not take notice what conversation there was between them—I went away from them across the road, to get a bit of strapping on my thumb, which was cut, and was in the doctor's shop about ten minutes.

Bayne Smith. I deal in potatoes and corn, and live in Back Church-lane. I know Morgan and Wilson—on the Friday before the Saturday in question Wilson came to my house, and asked me to buy two sacks of middlings of him—he had not got samples—he said he should have them to-morrow morning—I said nothing about a sample on Friday—very little passed on Friday—he said he should have some to sell, and I said, "Very well"—I did not see him again that day—he came on Saturday morning alone, and said he had two sacks of middlings to sell, and wanted 28*s*. a sack—I said, "Let me see them"—he said he could not—I said, "Then I must see a sample"—he said he must go and see his mate—he left the shop—I watched him, and saw him go to Morgan down North-street, which joins my house—Morgan was about 150 yards from my house—I knew him before—they both turned back and came to me, and both said, "You shall have a sample"—I was at home when Wilson brought it the same day—I afterwards gave it to Cummings, the police-sergeant—I went out that Saturday afternoon—my cousin assists in my business when I am out—I came home at night, and about ten o'clock Wilson came—I told him it was too late to bring them—(I had informed the police-inspector then, and he gave me instructions what to do)—it was agreed they should be brought on Monday morning—nothing more passed that I recollect—Morgan had before that told me they came from a place where his cousin was foreman, and it was all right—he said that, when I went to them in North-street—I said nothing to them about not telling any body where I got them from—I particularly tried to find out the mark that was on them, and Wilson said that they were Sharp's, meaning the mark of Sharp on them—I said, if they were his mark, they were worth 2*s*. a sack more than any body else's—I saw them again on Monday morning, across the road, opposite my house, both Morgan and Wilson—they had nothing with them—I never saw Smith about it till he was before the Magistrate—when I had arranged for them to bring the sacks I communicated with the police.

Court. *Q*. Had you any conversation with them on Monday morning? *A*. Yes, I recollect I had—I told them I would have nothing to do with

the middlings—nothing was said about the price that I recollect, nor about my having tried to get rid of them—I did not say I had been offered a good price, but it was not so much as they had given me reason to expect, not a word of that sort.

CATHERINE CUNNINGHAM. I live at Bayne Smith's. On Saturday, the 23rd of November, I was attending to his business while he was out—Wilson came to me first, and said he had brought two sacks of flour—I said I did not know any thing about it, and could not take it in, as Mr. Smith had said nothing to me about it—Morgan then came into the shop, and said, "Won't you allow us to put them in the shop, Ma'am?"—I said, "No"—I went forward to speak to Morgan, and saw a sack in a baker's barrow—I only saw one, but from the way it laid, I suppose there were two—Morgan and Wilson went away with the truck and flour together—on Monday morning they came into the shop—Bayne Smith was in the shop at the time—I was in the parlour, behind the shop—I did not hear what passed, but I saw them, and knew both Morgan and Wilson—I saw a round black mark on the sack—this is like the sack—(*looking at one*)—I never saw the other prisoner.

RICHARD YORK. I live in Somerset-place, Commercial-road—our place is on the right hand of the turnpike going from town—it is the second turning beyond the turnpike—the first turning is thirty or forty yards beyond it—I have seen Morgan two or three times. On Saturday, the 23rd of November, I saw him at my place about six or seven o'clock in the evening—he came for Mr. Hurst's truck, which stands in my shed—he told me he had Mr. Hurst's leave for it—I let him take it away—it was returned the same night—Hurst is a baker.

EDWARD HUGGINS. I am a dairyman, and live in Little Turner-street, Commercial-road. On Monday, the 25th of November, Morgan came to hire a truck of me, between ten and eleven o'clock—I lent it to him—I looked at him for a moment, not knowing him exactly—I asked him who it was for, and said, "You used to work along with Mr. Hurst?"—he said he did, but it was not for Mr. Hurst—I let him have it—I knew he formerly lived with Hurst—the truck was not gone quite an hour.

WILLIAM DAVIS. I am a baker, and live in Church-row, Commercial-road. I know the George—the street my house is in is on the right, and the George is about one hundred yards from it—on a day in November, I cannot say when, I think it was about the latter end of the month, Morgan came to my house—I cannot say positively it was him—I believe it was one of the prisoners—he came alone—he brought two small samples of middlings, and asked whether I was a buyer—I said I was not particularly in want of such a thing, I did not use much of it—he pulled out the two small samples—I looked at it—he asked me 50*s.* a quarter—I offered him 45*s.* for it—he said that would not do, and left—he returned in about ten minutes, and said if I would give him another shilling I might have it—I asked him particularly whether it was his own property or not—he said it was—I asked where he lived—he said he kept a little shop at the back of the Commercial-road—I agreed to give him the other shilling—he left the shop, and in about half-an-hour returned with two sacks, which were afterwards taken possession of by the officer—they were shot down at the door—they were brought to the door in a cart or truck, and were brought into my shop—I noticed the marks on the sacks—one had the name of Death on it—I do not recollect the other—I saw

Wilson—he helped to bring them in—I paid Morgan for them two sovereigns, 5*s.* in copper, and 1*s.*—I gave one of the sacks up to the officers about three weeks after—that was the one with the name of Death on it, the other was gone away with other sacks.

COURT. *Q.* To the best of your belief, is Morgan the man who came? *A.* I believe he is—in consequence of the goods turning out so bad, I was obliged to try to find the party I bought them of, but I could not—I cannot undertake positively to swear to him.

JAMES MUCKLEJOHN. I am in the service of Charles Morrice Hullah—he is a large biscuit baker at Wapping. I have known the prisoner Smith two or three years—he was in Mr. Hullah's service fifteen or sixteen months ago, and was there above two years—Mr. Hullah has a foreman named Owen, and I believe Smith is related to him—on Saturday, the 23rd of November, I saw Smith in Mr. Hullah's premises—he came to see his cousin Owen, as he said—he was in the habit of coming there—I saw him there about a quarter-past seven o'clock in the evening—the people left off work about that time on that Saturday—I left the premises at that time, and left Smith there—the gates are two doors, with a small door cut in two—it leads into the bakehouse—there is nothing kept there but middlings, in sacks of different marks—a person might conceal himself on the premises at the time the men left—when the men leave, the outer gate is fastened, and Owen the foreman has the key—a person from the inside could open it without any key—I know the marks on the sacks—Mr. Hullah received middlings from persons named Sharpe and Death—the sacks are generally marked with the name of the person the flour is bought of—I never saw Morgan till he was at Lambeth-street.

Smith. I deny being at Mr. Hullah's on Saturday night—if you look at the deposition, you will find he said he left at half-past seven o'clock.

(*The witness's deposition being read, stated that he left about half-past seven o'clock.*)

Smith. He says he left at a quarter-past seven o'clock, and that I was there at half-past—how can he tell that, if he left at a quarter-past? *Witness.* It was a quarter-past seven o'clock before I received my wages that night—how long he staid after I left I cannot say—I left him in the bakehouse, with his cousin and three other men—I am certain it was as late as a quarter-past seven o'clock when I left, and above that.

MR. BODKIN. *Q.* Whatever time you left, did you leave him there? *A.* Yes—two of the other men I left with him, named Thomas Goold and Benjamin Petty, were in Mr. Hullah's employ, and the other was John Wardle, a lighterman, who I know.

GEORGE HALL. I keep the Tower of Ramsgate public-house in High-street, Wapping, nearly opposite Mr. Hullah's premises. On Saturday evening, the 23rd of November, between six and seven o'clock, I noticed three men come into the house—one I particularly remarked—it was the witness Wilson—I cannot swear to the others, nor have I any belief on the subject—I know Smith, as having worked for Mr. Hullah some time ago, but I do not know him as being one of the persons—I said before the Magistrate that I believed Morgan was one, but I would not swear to him—I believe him to be one now, but he was differently dressed when at my house to what he is now, if he was there—I saw a truck standing at my door for about half-an-hour or three quarters of an hour—the men were in the tap-room, having some beer, during that time—they went out two or three

times backwards and forwards—I did not see them leave—I was in the parlour at the time.

ELIZABETH ANN OWEN. I am the wife of Mr. Hullah's foreman. The prisoner Smith is my cousin—he had been lodging at my house some time before this matter happened, ever since he came home from sea, which is about thirteen or fourteen weeks—the last time he slept in our house was the Sunday night before he was taken—he went out about nine o'clock on Monday morning, or between nine and ten o'clock—I had heard of this business then, and I asked him what was the reason that the police were after him—he said he knew nothing of what was the occasion of it, but he was going along on Saturday evening, and met with a person, who said, if he would lend him a hand with a truck he would give him 5*s.*, (he did not say who the person was,) and if he did not get it then he was to have it on Monday morning—he did not say whether he got it—I saw him again about seven o'clock in the evening in the City-road, but nothing further passed between us then—he had not come home to his dinner on Monday—he generally used to dine at home—I did not expect him home on Monday night—nothing passed between us about his coming home on Monday night—I saw nothing more of him till he was in custody.

THOMAS OWEN. I am foreman to Mr. Hullah, and have been so about seven years. I am still in his service—the prisoner Smith is my wife's cousin—he frequently came to see me at Mr. Hullah's—it is not my business to close the gates when the men leave at night—it is generally left to the clerk, but lately it has been left to a person named Clark—there is a big gate besides the wicket—the men generally went out of the big gate, the wicket was seldom opened—a sack of flour could not pass through the wicket-gate without great assistance from a good many—on Saturday, the 23rd of November, I remember the men leaving work—I think we had done work about seven, or near upon seven o'clock—I think I left between seven and eight o'clock—I believe Smith was there between five and half-past five o'clock—I have no recollection of seeing him later—I cannot say whether or not I left him behind when I left—the clerks in the counting-house generally lock up the gates when they have done their business, because the men generally finish their work before they have done business in the counting-house—I know Thomas Goold, Benjamin Petty, and John Wardle—we all came out together, and a person named Clark was present at the time—Mr. Mucklejohn did not mention him, but he was the last person we left in the bakehouse—he was left to close the counting-house door, and to shut the passage-door.

Smith. If he saw me there between five and six o'clock, he must have some recollection of what I said to him—I deny being there at all that night. *Witness.* I am not quite sure he was there that Saturday night.

COURT. *Q.* How came you to say just now he was there, and the last you saw of him was at half-past five o'clock? *A.* I thought I saw him there at that time, but to say for a certainty, I cannot.

MR. BODKIN. *Q.* Did you see Mucklejohn there that evening? *A.* Yes, he left off work when I did—I did not search the bakehouse when I left, to see whether any body was concealed there or not.

THOMAS CUMMINGS (*police-constable H* 5.) I took the witness Wilson into custody on Monday, the 25th of November, at half-past eight o'clock in the evening, at the Hampshire Hog public-house, in Rosemary-lane—I apprehended Morgan on the following morning, in a

brothel in Commercial-road, asleep there with a prostitute—I told him I took him on suspicion of stealing the two sacks of flour which he and Wilson had been offering to sell on the Saturday evening previous to Mr. Smith—he said he had offered no flour to Mr. Smith, he knew nothing at all about it, let him dress himself, and he would go with me wherever I liked—I took Smith into custody on Friday, the 6th of December, at his aunt's, No. 34, Earl-street, Edgeware-road—I had been searching for him in the interval—I said, "You are aware I have been looking after you"—he said, "I am"—as we were going to the station-house I told him it was on suspicion of assisting Morgan and Wilson in selling the flour which was offered on Saturday, the 23rd, to sell to Mr. Smith—he said, "I know Morgan very well; I had nothing to do with stealing any flour, nor did I know that Morgan had stolen any flour"—I have a sack here (*producing one*) which I received from Mr. Davis.

Charles Morrice Hullah. I am a biscuit-baker, and live at Wapping. This sack bears the mark "W. Death," and a black serpent—I deal with a person named Death for flour called middlings—on Saturday, the 29th of November, in consequence of information from the police, I missed one sack of flour, marked "Dobson," from my bake-house, and on the 6th of December I missed two others, one marked "Death," and the other "Sharpe"—I missed four sacks altogether, but one was afterwards said to be found on the premises—I was shown some middlings by Cummings, which answered the description of Death's middlings—I am not able to distinguish one person's flour from another, but I should say this flour is totally distinct from Sharpe's.

Court. *Q.* You say you first missed, on the 29th of November, a sack of Dobson's? *A.* Yes—I did not miss any other till the 6th of December—I cannot say whether I saw those which I missed on the 6th of December safe on the 29th of November—I took a general review of the sacks in my bakehouse on the 29th—I had only heard then that one sack marked "Dobson" had been found, and therefore did not pursue my search further; but on the 6th of December I learnt one of Death's had been found—I then searched more minutely, and missed one of Death's and one of Sharpe's.

Thomas Cummings *re-examined.* The flour I showed Mr. Hullah I got from Mr. Smith, the corn-chandler, in Back Church-lane—he gave it to me in a sample—I also received some flour from Mr. Davis—that is at the station-house—I believe I showed Mr. Hullah that on the 19th of December.

Bayne Smith *re-examined.* I gave Cummings the sample of middlings which Wilson brought to me—I am certain it was the same—I had no other.

Willliam Davis *re-examined.* I delivered the flour which was brought to me, I believe by the prisoners, to Cummings about three weeks after I received it—it had been kept in the meantime in my warehouse among other flours—it was not kept in the same sacks in which I received it—the parties who brought it requested it to be shot out, as they would call for the sacks in a day or so—they were shot into a trough, both together, and the sacks were laid on one side—one was a very damaged sack—the flour was put into other sacks—I had not sold any of it, but I had used the biggest part—I had not mixed any other flour with it—I delivered Cummings all the flour that was left of those two sacks, and no other.

Morgan's Defence. A man named Clark was at Lambeth-street, who bought two sacks of flour, but he is not here now—another thing, some body went to the clerk's house and got the keys about half-past five o'clock—a young woman who came to Lambeth-street said neither of us was the person—perhaps Wilson and another young man did it, and now he is putting it on us, and standing as a witness against us.

MR. HULLAH *re-examined.* Smith was in my employ two or three years—I have known him between three and four years—he always conducted himself well—I believe he bore a good character up to this time, and I was endeavouring at this very time to promote his interests and provide for him by getting him a steward's appointment.

(Morgan also received a good character.)

MORGAN—GUILTY. Aged 21. } *Recommended to mercy.*—Confined
SMITH—GUILTY. Aged 20. } Twelve Months.
The first, middle, and last Week Solitary.

Fourth Jury, before Mr. Recorder.

440. THOMAS DAVIS was indicted for stealing, on the 28th of December, 1 clock, value 14*s.*, the goods Robert Nicholson; to which he pleaded

GUILTY. Aged 18.—Confined Six Months.

(The prisoner received a good character.)

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441. JAMES BARBER was indicted for embezzlement; to which he pleaded

GUILTY. Aged 15.—Confined One Month.

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442. RICHARD CHAPMAN was indicted for stealing, on the 1st of January, 1 jug, value 1*s.*, the goods of Elizabeth Stevens; to which he pleaded

GUILTY. Aged 41.—Confined One Month.

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443. HENRY ATKINS was indicted for stealing, on the 31st of December, 5 tame geese, price 30*s.*, the property of William Lovell.

WILLIAM BUGGY. I am gardener to the Rev. Frederick Sandys Wall, of East Acton. On the morning of the 31st of December I saw the prisoner with a person named Thomas Bailey loitering about in East Acton, near Mr. Young's—five geese, the property of Mr. Lovell, were feeding on the green—they drove them about—I went out and followed them—they drove them more than three hundred yards, and drove them down a lane, and the prisoner kicked one of the geese as he drove them down the lane—I told Lovell, and went through my master's premises, as a near way, to stop them, but when I came I found Lovell had got them both—I took one to the officer, but Bailey has since escaped, I understand.

Prisoner. I was never near the geese, only one flew at me, and I kicked it. I went down the lane to see if it was a thoroughfare. I am innocent of driving them—they were not ten yards from the top of the lane.

WILLIAM LOVELL. I am a labourer at East Acton. In consequence of what Buggy told me I went down Crown-lane, and met the prisoner and Bailey coming up the lane, having left my geese—I collared them, and took them to the head-constable of the village—I found my geese about two hundred yards from the end of the lane—they were going on a strange road, beyond where I met the prisoners—they are not in the habit

of straying at all—the prisoner had no authority to touch them—I asked them what they were going to do with my property—they told me they did not want them, if they did they had opportunity enough to take them before that—I had not seen them drive them—they had been disturbed, and ran away from them.

WILLIAM BUGGY *re-examined.* I saw them about for nearly an hour, and they were, I suppose, half-an-hour with the geese—I was at work in the passage—I swear they drove the geese in the direction they went.

WILLIAM WRIGHT (*police-constable T* 95.) I took charge of the prisoner and Bailey—the prisoner had a large bag in a small one, under his arm—I examined it, and it appeared as if there had been feathers in it—Bailey got his hands out of the handcuffs and escaped, coming up Skinner-street to Newgate.

Prisoner's Defence. I had the bag, being told I could get bird gravel and chickweed down the lane. *Witness.* There was no chickweed or gravel in the bag.

GUILTY. Aged 18.—Confined Six Months.

NEW COURT.—*Wednesday, January 8th*, 1840.

Fifth Jury, before Mr. Common Sergeant.

444. DANIEL WALSH was indicted for stealing, on the 3rd of January, 1 coat, value 10*s.*; 1 pair of trowsers, value 5*s.*; 2 half-sovereigns, and 3 half-crowns, the property of John Welling; to which he pleaded

GUILTY. Aged 20.—Confined Six Months.

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445. LEWIS LEVY was indicted for stealing, on the 6th of January, 1 looking-glass and stand, value 8*s.*, the goods of John Smith; to which he pleaded

GUILTY. Aged 20.—Confined Two Months.

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446. CHARLES MORRISS was indicted for stealing, on the 31st of December, 1 neck-chain, value 4*l.* 10*s.*, and 1 locket, value 10*s.*; the goods of Andrew Paul; to which he pleaded

GUILTY. Aged 30.—Confined Three Months.

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447. MARY DOWD was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

JOSEPH HOWORTH. My father's name is John, he is a grocer, and lives in Winchester-street, Bethnal-green. On Thursday night, the 28th of November, between six and seven o'clock, the prisoner came to the shop for a penny roll, she gave me a shilling—I gave her change, and she went away—I put the shilling into the till, where there was only some sixpences—a boy came first for a quarter of an ounce of tobacco, and another boy gave me a bad shilling, and then the prisoner gave me another one—these were the only three shillings in the drawer, and they were all three bad—the prisoner came again in about ten minutes for a penny candle—I served her, and she gave me a shilling in payment—I got change for her next door, and left the shilling with the person from whom I got the change—I took the three shillings from the till and put them in again—after that I showed them to my father—he said they were bad, and called in a policeman—my

father marked them and put them in a piece of paper, and my mother put them in the desk—on Friday night the prisoner came again, about seven o'clock for a penny roll, and gave me a bad shilling—I knew her when she came in—Charles Evans came in—he got the shilling out of my hand, and took the prisoner into the parlour—my father went for a policeman, who took her to the station-house.

JOHN HOWORTH. I am the witness's father. When I came home, on the 28th of November, he showed me three shillings, they were all bad—I took them and went for a policeman, who marked them, and gave them to my wife, and she put them away—on the following evening the prisoner came again, about seven o'clock—I was in the parlour—Charles Evans brought her in to me—I went for a policeman, who took her.

HANNAH HOWORTH. I am the wife of the last witness. On the 28th of November I received three shillings from my son—I weighed one—it was too light—I looked at the other two, and they were all of one stamp—I put them into the till—after they were marked I put them into a writing-desk, where they staid till the night after, when I gave them to the policeman.

——— BURCHAM (*police-constable H* 33.) I was on duty on the 28th of November, and was called into the prosecutor's shop—he showed me the three shillings—I marked them, and gave them back to Mrs. Howorth—I have them now—I got them from my brother officer after he took the prisoner.

CHARLES EVANS. I was in the prosecutor's shop on the 29th—the prisoner asked for a penny loaf—Joseph Howorth served her—she gave him a shilling—I took it out of the boy's hand, saw it was bad, and took the prisoner into the parlour, and gave the shilling to Baker.

ZACHARIAH BAKER (*police-constable H* 95.) I was on duty on the 29th, about seven o'clock in the evening—I watched the prosecutor's shop—I saw four people in company near it, two males, and two females, one of whom was the prisoner—she left the other three, peeped into the window, and went in—I went in a quarter of a minute after, and she was in the back parlour—the prosecutor, his wife, and Evans, were there—I took her to the station-house—when she got there she put something into her mouth and swallowed it—she had a hard struggle to get it down—I searched her, and found one sixpence and four penny-pieces, but no bad coin—I returned to the shop, and received three shillings from Mrs. Howorth—these are the three I gave to Burcham, and this is the one she offered on the 29th.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint. These are all counterfeit, and all from the same mould.

GUILTY. Aged 18.—Confined Nine Months.

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448. HENRY MILLER was indicted for a misdemeanor.

JOSEPH HOWORTH. I am son of John Howorth. On Thursday night, the 28th of November, between six and seven o'clock, the prisoner came for a quarter of an ounce of tobacco, and gave me a bad shilling—I put it into the till, and gave him change—there was no other bad money in the till—a boy came twenty minutes after, and gave me a bad shilling, and then the woman brought me one—these three shillings were the only ones in the till—I took them from the till shortly afterwards, and one was weighed by my mother, after that I put them into the till again—my father came about eight o'clock—I showed him the three shillings—he called the policeman in, marked them, and gave them to my mother.

HANNAH HOWORTH. I received the three shillings from my son on the 28th—I weighed one, and it was bad—they were all bad—I gave them to my son—I saw the prisoner about eight o'clock in the evening on the 29th, he came for a quarter of a pound of butter—he gave me a shilling—I thought it was of the same stamp as the others—there was no one in the shop, and I said I would get it changed—the prisoner said he could get change, but I took it out to a shopkeeper—I got it back—it was not out of my sight—I kept it in my hand till I gave it to the policeman.

——— BURCHAM (*police-constable H* 33.) I received three shillings on the 28th, from the prosecutor—I marked them, and gave them back to his wife—I received the same three from Baker.

ZACHARIAH BAKER. I am a policeman. I was on duty on the 29th a few minutes past seven o'clock—I saw the prisoner and three others—after I had seen the last prisoner, and taken her, I found this prisoner at Mr. Howorth's shop, and took him, and received from Mrs. Howorth this other shilling—the other three I received and gave to Burcham.

MR. JOHN FIELD. These three are all counterfeit, and the last shilling is counterfeit, and from the same mould.

Prisoner's Defence. If I had known it was bad, I could have gone out of the shop while she went to get change—I was not in the shop on Thursday.

GUILTY. Aged 17.—Confined Nine Months.

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449. CHARLES THOMPSON was indicted for a misdemeanor.

ELLEN JACKSON. I am the daughter of William Jackson, who keeps a public-house in Cranmer-road, Brixton. I was in the shop on the afternoon of the 23rd of November—the prisoner came for a pint of ale, and gave me a half-crown—I took it to my father, and gave it him—the prisoner did not go away.

WILLIAM JACKSON. I received a half-crown from my daughter—I brought it out to the prisoner—I said, "Did you give this half-crown to this girl?"—he said, "Yes"—I took my knife and cut it across—I told him I should keep it—he asked me to give it him again—I gave it to the policeman—it was between four and five o'clock, just at dusk.

WILLIAM HILL (*police-constable P* 213.) In consequence of information, I took the prisoner about half-past four o'clock—I said, "I understand you have been uttering a counterfeit half-crown?"—he said, "Where?"—I said, "At Mr. Jackson's"—he said no, he had not—I took him to Mr. Jackson—he recognised him as the man who passed the half-crown, and told me to take him, and gave me this half-crown—I found a good half-crown and a good shilling on him—on the 30th of November I saw the prisoner at Union-hall—he was there in custody, and was discharged.

JOSEPH JAMES I keep the Weaver's Arms, Stamford-hill. The prisoner came on the 5th of December, about ten o'clock in the evening, for half-a-pint of ale, which came to 2*d.*—he gave a half-crown, which I took to the barmaid—she took it and gave it back to me directly—it was not out of my sight—I am positive it was the same that he gave—the barmaid gave him four sixpences and 4*d.* in halfpence—I kept the half-crown, and felt it, and said, "This is bad"—I stepped up to him, and said, "This is a bad half-crown"—I gave it him back, and he gave me a good shilling.

MARY BROWN. I am the wife of James Brown, who keeps the Hare and Hounds public-house, Stoke Newington-road. On the 5th of December the prisoner came at a quarter-past eleven o'clock in the evening, for half-a-pint of 6*d.* ale—he gave me a half-crown—I gave him 2*s.* 4½*d.*—I kept the half-crown in my hand, and found it was bad—while I was looking at it, the prisoner drank part of his ale, and ran out—I spoke to my husband, and to Fingay—they left the shop, and soon after Fingay came back with Petty—I gave him the half-crown.

CHARLES PETTY (*police-constable N* 189.) I heard the cry of "Stop thief"—I ran fifty yards, and found the prisoner in custody of Richards—I received this half-crown from Mary Brown—I saw the prisoner taken by a policeman—I heard a noise just before I came up to him that sounded like money.

THOMAS RICHARDS (*police-constable N* 208.) I was on duty on the 5th of December, and heard a cry of "Stop thief," and saw the prisoner running down the road—I took him—he kicked off his shoes when I was going to take them off, and asked whether I thought he was a d—d fool to have any more about him.

WILLIAM HILL. I produce the half-crown which I received from Mr. Jackson.

MR. JOHN FIELD. These are both counterfeit, and both from the same mould.

GUILTY. Aged 25—Confined One Year.

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450. JAMES TURNER was indicted for stealing, on the 2nd of September, 6 printed books, value 14*s.*; 1 memorandum-book, value 3*d.*; 1 shirt collar, value 3*d.*; 1 egg-boiler, value 1*s.*; 3 studs, value 3*d.*; 50 beads, value 6*d.*; 3 buckles, value 3*d.*; 1 reticule, value 3*d.*; 30 prints, value 2*s.*; 1 ink-bottle, value 1*d.*; 1 scent-bottle, value 1*d.*; 2 snuff-boxes, value 2*s.*; 1 pair of braces, value 1*d.*; 3 pairs of gloves, value 1*s.*; 1 pair of stockings, value 6*d.*; and 1 two-penny piece; the property of Matthew Bowes Iley.

MR. HORRY *conducted the Prosecution.*

MATTHEW BOWES ILEY. I live in Somerset-street, Portman-square. A distraint was put into my house for rent, in September last, by Mr. Gingell—the prisoner was the man in possession—after the first day or two I found him at my drawers, rifling them—I thought it was an act he had not any business to do, and I remonstrated with him—I did not miss any thing at that time—I afterwards paid the rent, and after I paid it, I missed a variety of books, two gold rings, a silk pocket-handkerchief, and other things—I applied for a warrant, and went to search the prisoner's lodging, and found some books and other things at Mr. Gingell's house in Barrett's-court—the prisoner resided with him, but had absconded—I went a second time—he was not there—I found a variety of articles, which are here—Roche and Pitt went with me.

Cross-examined by MR. PHILLIPS. *Q.* These are all your property? *A.* Yes—I had not known the prisoner before.

HENRY JAMES PITT (*police-constable D* 8.) On the 24th of September I accompanied the prosecutor to the prisoner's lodgings, at Gingell's house, in Barrett's-court—I knew they were his lodgings, from his having been a policeman—there was some property found at Gingell's house by Roche,

which the prosecutor identified—I did not see the prisoner till he was taken by Roche.

Cross-examined. *Q.* Can you give no other reason for knowing they were his lodgings but that he was in the police? *A.* I have seen him go in there—Mr. Gingell told me that he lodged there about ten months ago; when there was a search-warrant from Marlborough-street.

COURT. *Q.* Have you seen him since then going in and out? *A.* Yes, up to about August.

JOHN ROCHE (*police-constable D* 116.) I went to the prisoner's apartments, accompanied by the prosecutor, on the night of the 24th of September—I found the prisoner's wife (I knew her to be his wife) in the apartment—I found these six books and other things in a drawer—I went there the next day again, and saw the wife again, and found these prints and other things—I had never seen the prisoner go in and out of the apartment—I went into the country after him—I took him in Baldwin's-gardens, Gray's Inn-lane, on the night of the 17th of December—I said, "I want you, for felony"—he said, "You won't have me"—I said, "I shall have you"—he *up* with his left hand, and struck me in the face—I laid hold of his two arms, and said, "You are my prisoner, you won't go"—he bent down his head, and bit my right hand—I said, "I won't let you go"—he said, "You must"—there was a crowd round us—he tripped me up to throw me down—I called for assistance—I said, "I want him, for robbery"—a gentleman in a cloak said, "He is a policeman, we must assist him"—while struggling, the prisoner got his hand to his right-hand pocket, but I seized it—I was determined to bind his arms—I handcuffed him, by assistance, and put my hand to his right-hand coat pocket, and found this dagger in it—I found 8*s.* on him, and a bunch of keys—they are not used for picking locks of drawers, that I am aware of—I succeeded in securing the prisoner—when I took this out of his pocket I said, "This is what you meant for me, is it not?"—he said, "You know more of it than I do"—in the way up Holborn he said, "What is against me?"—I said, "A case of felony; I do not want you to put any question to me, if you have any thing to say say it to the Magistrate."

Cross-examined. *Q.* Were you the policeman who interfered to prevent the prosecutor from recommending the prisoner to mercy? *A.* Yes, I am.

GUILTY. Aged 45.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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451. BENJAMIN BIRT was indicted for stealing, on the 1st of June, 6 spoons, value 2*l.* 10*s.*, the goods of Michael Saward, his master; to which he pleaded

GUILTY. Aged 44.—Confined Three Months.

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452. ELIZABETH BRYSON was indicted for stealing, on the 19th of December, 8 shillings, the monies of Evan Roberts, from his person.

EVAN ROBERTS. I live in Parish-street, Tooley-street, Borough. I went to the Standard Theatre in Shoreditch, on the 19th of December, and then to the Sun public-house in Bishopsgate-street—I met the prisoner there, and went into another public-house, and treated her—she took me up a court in Sun-street, and while there she robbed me of 8*s.*—I had given her 6*d.*, and saw my 8*s.* safe about five minutes before—it had been in my waistcoat pocket—I accused her of robbing me—she denied it—she

afterwards gave me 4*s.*, and said she had not got any more—I gave her into custody, and the officer found 4*s.* in her mouth.

JOHN ROADNIGHT (*police-constable G* 167.) The prisoner was given into my charge—in going to the station-house I perceived there was something in her mouth, and I took 4*s.* out.

Prisoner's Defence. He gave me the money, and then wanted it back, and I would not give it him—there was another young man with him, who said I had a right to the money. NOT GUILTY.

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453. BENJAMIN WHITE was indicted for stealing, on the 4th of December, 2 marble shelves, value 1*l.* 12*s.*; 2 marble friezes, value 10*s.*; 1 marble jamb, value 12*s.*; 2 marble caps, value 3*s.*; 4 marble blockings, value 7*s.*; and 3 pieces of marble, value 10*s.*; the goods of Robert Plant. —2nd COUNT, stating them to be the goods of John Fairey.

MR. BODKIN *conducted the Prosecution.*

ARCHIBALD SCOTT. I live in Cambridge-street, Westminster, and am agent to Mr. Robert Plant—he is the owner of the house No. 228, Piccadilly. There was a confusion about taking some part of the premises off the hands of Mr. Hunt—I was over the house about two months ago, and missed some marble chimney-pieces from the r oom where they had been, but they were not removed from the premises—they had been in the front and back rooms on the first floor, which rooms were in the possession of Mr. Hunt, who kept billiard-tables there, and I found the marble in the back room on the third floor, where it had been stowed away—when fixed they were worth six or seven guineas—I afterwards saw a part of them in the possession of a man named Prestage, in Husband-street, I think, on the 4th of December—in order to increase the confusion going on at the house in Piccadilly, a great many people attended there to buy greens and turnips—the ground-floor is partly occupied by Mr. Newson, and the persons who went up had to pass through his shop.

Cross-examined by MR. CLARKSON. *Q.* Where is Mr. Plant? *A.* I do not know his dwelling-house, but his place of business is in Thames-street—I have not seen him since the day the prisoner was at Marlborough-street, which is about a fortnight ago—I do not know where Mr. Fairey is, nor where Mr. Hunt is—I saw him at Marlborough-street office—when these pieces of marble were stowed away they were worth 3*l.* or 4*l.*—I saw them within a fortnight of the 4th or 5th of December—I did not see that any were broken, but I did not take them out and examine them.

WILLIAM NEWSON. I was living about a month ago with my father, at No. 228, Piccadilly—I have seen the prisoner at the house frequently—I was there the first day he came—he said Mr. Hunt had let him the place for a shilling a week—he came alone the first time, and after that he brought a lot of blackguards with him, apple-women and sweeps—they all went up stairs—one day the prisoner came with two men, the men took away some marble in a hand-barrow, and the prisoner staid behind—when they came the prisoner went up stairs with them—I followed them part of the way up—I heard them knocking to get some blocks loose, but they could not undo them—they were up stairs about an hour—after Mr. Cross and the other man were gone with the marble, the prisoner staid up stairs—Mr. Scott came, went up stairs, and then the prisoner disappeared.

Cross-examined. Q. Was Mr. Scott present when they first came down? *A.* No; he had not seen any thing removed—Mr. Shayer saw something was moving, and he sent for Mr. Scott—the prisoner made no secret of coming there—he said Mr. Hunt had let him the place for a shilling a week.

ARCHIBALD SCOTT *re-examined.* I went to the house the day the marble was removed, on the 4th of December, about five o'clock—I found Mr. Shayer and several other persons there, who had collected round the shop—I went into nearly all the rooms, and could not find the prisoner—he had absconded—it was supposed he was gone up the chimney—I, my son, and a policeman went in search of the property, and found it in Husband-street.

Cross-examined. Q. Were you a party concerned in arranging this matter with Mr. Hunt? *A.* No—the lease was surrendered, I suppose, six weeks before the prisoner was taken—I know that from Mr. Fairey.

HENRY CROSS. I am in the employ of Mr. Prestage, in Husband-street. On the 4th of December I went to the house in Piccadilly by my master's orders—I went with the prisoner, who had come to my master's shop for me—I was to go to look at some marble chimney-pieces—the prisoner took me to the three-pair room, and he showed me parts of some marble chimney-pieces on the floor in a pool of water—he told me his master wanted 1*l.* for them—I said I did not think they were worth carrying home, but I thought 17*s.* was the most they were worth—he said he would go to his employer—I said, "Does he not live here?"—he said, "No, he keeps a large tobacconist's shop by Temple-bar"—I said, "I had better see your master"—he said, "You cannot see him till four o'clock" (it was then about two o'clock) but he said, "It is no consequence, you can take the things away, and pay my master after four o'clock"—I went home to my employer, and told him, I got a man to go with me with a hand barrow, and we began to load the marble—while we were doing it the third time, Mr. Scott came—I was up stairs—Mr. Scott asked me who employed me—I said, "The man who stands here, and I have got to go and pay his master"—the moment I turned the prisoner was gone—Mr. Scott and I looked all over the house for him.

GEORGE DAVIES (*police-constable C* 33.) I was applied to to look after the prisoner—I searched for him in several places, and at last found him in Calmell-buildings, St. Giles's, in a cellar lying amongst some soot—I told him I took him on suspicion of stealing marble—he said he knew about that, and he was employed by some one to sell it—he did not say who, nor where he lived.

Cross-examined. Q. Do you know a man of the name of Brown? *A.* Not that I know of.

NOT GUILTY.

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454. HENRY JAMES FOWLER was indicted for stealing, on the 27th of December, 1 cap, value 1*s.*, the goods of Ann Pain.

THOMAS WILLIAM BARNARD. I am shopman to Ann Pain, a hatter, at Shadwell. On the evening of the 27th of December I was showing some caps to some boys, and when they were gone I missed one—the prisoner had been backwards and forwards two or three times—I afterwards took him, and found the cap on his head—it has the mark inside, which would have been taken out if it had been sold—he said it was not mine.

ROBERT GEE (*police-constable K* 173.) I took the prisoner, and have the cap.

GUILTY. Aged 18.—Confined Three Months.

455. MARY ANN FOSTER was indicted for stealing, on the 3rd of January, 30 yards of flannel, value 1*l.* 14*s.*, the goods of George Mew.

JOHN ROBERTS. I am assistant to Mr. George Mew, a linen-draper, in Holborn. On the 3rd of January, about seven o'clock in the evening, a little girl came, and told me something—I then missed this flannel—I looked, and saw the prisoner crossing the street with it under her arm—I caught her in Brownlow-street with it—I had seen it safe just inside the shop about an hour before.

GEORGE MARCH (*police-sergeant F* 8.) I took the prisoner, and have the flannel.

GUILTY.** Aged 20.—Transported for Seven Years.

456. JOSEPH PEARCE was indicted for stealing, on the 23rd of December, 1 coat, value 14*s.*, the goods of John Dovey.

JOHN DOVEY. I am a shoemaker, and live in New Tothill-street, Westminster. The prisoner slept in the same bed with me for the last week while he lodged in the house—I had a box in the room, and a coat in it—I missed my coat on the 23rd of December—this is it.

THOMAS DUNNELL. I am a pawnbroker, and live in Long-acre. The prisoner pawned this coat about a week before the date of the ticket, which is the 23rd of December—he brought two or three persons to look at the coat, to try to sell it, and each time the ticket was renewed.

ROBERT M'ELEE (*police-constable B* 47.) I took the prisoner—he said he had taken the coat—he said it was all right, he had done it.

GUILTY. Aged 18.—Confined Six Months.

457. JAMES MAYHEW was indicted for stealing, on the 26th of December, 1 handkerchief, value 4*s.*, the goods of Henry Connop.

MR. PHILLIPS *conducted the Prosecution.*

HENRY CONNOP. I am a Captain in the army, on half-pay. On the 26th of December I was going down by the two o'clock train on the Great Western Railway—I was to have gone in the first-class carriage—I placed my silk handkerchief on the seat in the carriage—I saw the prisoner cleaning the window of my carriage—I did not go in for about ten minutes, and when I went the handkerchief was gone—the prisoner was then cleaning the window of the next carriage—I asked him if he had seen any body about the carriage, or who had moved my handkerchief—he said he had not seen it—this is my handkerchief—(*looking at it.*)

THOMAS WORKMAN. I am a porter on the Great Western Railway. On the 26th of December, I saw Captain Connop pull out his handkerchief and place it on the seat of the carriage in order to secure a seat—the prisoner was then at the next carriage.

JOSEPH COLLARD. I am chief inspector of the Great Western Railway. I heard of this circumstance, and in about two hours afterwards the handkerchief was shown to me in the urinal of the second class booking office—it was between the roof and the top of the wall on which the roof rests—I set a person to watch who came for the handkerchief, and in an hour and a half after the prisoner was brought to me, and the handkerchief—Smith said, " Here is Mayhew, I found the handkerchief thrust into his trowsers"

—I said, "How is this, Mayhew?"—he said he knew nothing about it—he could not account for it.

Cross-examined by MR. CLARKSON. *Q.* Was not what he said, "I found the handkerchief in his trowsers' pocket?" *A.* I think he said that also, and I think the prisoner said he could not account for it—or it was to that effect—he has been employed there fourteen months—I never heard a complaint against him.

HENRY SMITH. I am a police-constable of the Great Western Railway. On the 26th of December, I went to the building which Mr. Collard has mentioned, and saw the handkerchief rolled up and thrust in between the wood work of the roof—it was so fixed in that it could not fall—I fixed myself in the adjoining water-closet—several persons came to the urinal while I was there, and after every one I went out to see that the handkerchief was safe—at last I heard some footsteps, and saw it was the prisoner—he went in the place, and returned again—he did not stop—I saw him come out—he was going into the second class booking-office, but as soon as I came out of the water-closet he went in—I went and saw the handkerchief was gone—I then went to the door of the water-closet, I knocked, and called "Mayhew"—he said what did I want with him—I said I wanted to speak to him, and asked him to open the door—he refused, and I looked in at the top where there had been glass, but it was broken—I saw he was stooping down, busy with his hands in his trowsers—I thrust open the door, and told him a handkerchief was missing, and I believed he had it—I asked him for it—he denied any knowledge of it, and said he knew nothing about it—I told him I knew he had it in his trowsers, and wished him to give it out—he would not—a scuffle ensued between us, and in the scuffle I got it from inside his trowsers—he said, "D—— it, how is this?"—his trowsers were not undone.

Cross-examined. *Q.* How long have you been in the service of the Company? *A.* Since the commencement of it—I was before that in the metropolitan police—I was two or three years in the service of Mr. Gill, at Galway, in Ireland—when I desired the prisoner to open the door of the water-closet he was not doing it, and I considered that a refusal—I waited about a minute and a half—he had the handkerchief in his trowsers, where it could not be seen—I put my hand in and got it—I will not swear it was not in his pocket—his trowsers open in front—I think it was about half-past six o'clock in the evening—some of the men go to tea at four o'clock, and some later.

WILLIAM WOODCOCK. I am a porter, in the employ of the Company—there was a *row* about this handkerchief—I went to the place about six o'clock, and saw the handkerchief, and gave information to Kitching.

Cross-examined. *Q.* Did you take it out? *A.* Yes, and put it back again—Kitching went and told Mr. Collard.

THOMAS KITCHING. I saw Woodcock take the handkerchief out and put it back again—I told Mr. Collard.

(The prisoner received a good character.)

GUILTY. Aged 51.—*Recommended to mercy.*—Confined Three Months.

458. ELIZA BRYAN was indicted for stealing, on the 30th of December, 1 shawl, value 10*s.*, the goods of William Bennett, her master; to which she pleaded

GUILTY. Aged 17.—Confined Six Months.

First Jury, before Mr. Common Sergeant.

459. RICHARD STATE was indicted for stealing, on the 11th of November, 1 box, value 5*s.*, and 114lbs. weight of candles, value 3*l.* 6*s.*, the goods of James Patrick Murphy.

JAMES BELL. I am shopman to Ann Smith, a tallow-chandler in Fore-street, Cripplegate. On the 11th of November I packed up nine dozen and a half of candles, they were delivered to Murphy's man—I assisted him with them into the cart—this is the box, it is worth 5*s.*, and the candles were worth 3*l.* 11*s.* 6*d.*

WILLIAM SIPPETT. I am carman to James Patrick Murphy. I received the box, and went with it to the corner of Swan-alley, London-wall—I then went for a bottle of ink—I was gone ten minutes, and on my return I missed the box of candles.

JAMES BRANNAN (*police-sergeant G* 20.) In consequence of information, I went to No. 6, Sanders-buildings, Horseshoe-alley, Shoreditch, about one o'clock in the morning of the 12th of November—I watched about two hours—I then went to Little Hart-street, St. Luke's, where I found the woman who used to cohabit with the prisoner—I knew him and her previously—I got to the woman's lodging a little after six o'clock—I found her in bed, and in a glove on the table I found a street-door key—I went back to Sanders-buildings, and gave the key to another officer—I staid outside, while he opened the door and went in—he called me in in a few minutes, and there I found this box of candles, and a very valuable spaniel dog—I continned to look after the prisoner till the 16th of December, when I apprehended him at a house in St. Helen's-place, Cripplegate—I spoke to him about the box—he said he knew nothing about it, and that he never lived in Sanders-buildings, and did not know where it was.

Cross-examined by MR. CLARKSON. *Q.* You have stated that you knew the prisoner and this woman cohabited together, did you ever see them in bed? *A.* Yes, at No. 3, Pembley-court, Old-street, about a year and a half ago—I have taken them since then—the last time I saw them in company was in the summer, I think about August last.

GEORGE GLADWELL (*police-sergeant G* 9.) I received the door-key from Brannan, and went to the house, No. 6, Sanders-buildings, and the key fitted the door.

CHARLES SANDERS. I live in Goldsmith's-buildings, Hackney, and am landlord of the house No. 6, Sanders-buildings—I let it to the prisoner, and a woman who he said was his wife—the key produced is the key of that house.

NOT GUILTY.

Sixth Jury, before Mr. Sergeant Arabin.

460. HENRY TURNER was indicted for stealing, on the 6th of December, 1 jacket, value 20*s.*, the goods of Samuel Myers, in a certain vessel, in a certain port of entry and discharge.

SAMUEL MYERS. I belong to the ship called the *Eagle*, which was lying in the City Canal. The prisoner came on board, and asked if the captain wanted an apprentice—I inquired, and told him the captain did not want one, but he said he was in distress—I spoke to the captain's wife, and he was allowed to stay on board two or three days—I had a jacket on board—the prisoner wanted me to change it for one of his—he left the ship without my knowing it, about the 6th of December—I did not see him again for some days, when I found him on shore—he said for

some time that he had not seen the jacket, but at last he said he took it, and sold it to a man in Rosemary-lane for 5*s*.

JOHN BRIAND (*police-constable K* 117.) I took the prisoner—he said, "I stole the jacket from the prosecutor, and sold it to a man in Rosemary-lane for 5*s*—I did it on purpose to be transported."

GUILTY. Aged 19.—Confined Six Weeks.

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461. ANN M'CARTHY was indicted for stealing, on the 31st of December, 1 pair of slippers, value 2*s*., the goods of Eliza Isabella Jones.

ELIZA ISABELLA JONES. I am a widow, and keep a shop in Crown-court, Westminster. On the 31st of December, the prisoner came and wanted a pair of slippers without fur—I showed her what I had, but I had none without fur—she said, "Perhaps you will have some next week?" I said perhaps I should—she went out and I missed a pair of slippers—my little girl was looking for them, and the prisoner came back and said, "Have you seen a bit of ribbon?"—she looked about—I said, "You are looking for your ribbon, and I am looking for my slippers—did you try on a pair of velvet slippers?"—she said, "No"—she then said perhaps she had dropped her ribbon in the cheesemonger's shop over the way—she went there and came out—I said, "Have you found it?"—she said, "No"—she walked on—I followed her to the passage of a butcher's shop—she then stooped, and dropped these slippers—I stepped in and picked them up—I said, "These are what I want"—I told her to come back, which she did, and I gave her in charge.

Prisoner's Defence. I had a young woman with me who went out of the shop—I went out with her, and missed my ribbon—I went back and asked for it—she said she had lost a pair of slippers—I called to the young woman who was with me, and asked her if she knew any thing of them—she called me to follow her—she had before told me she lived in the kitchen of that butcher's—I was going there, and the prosecutrix came and said she had found my ribbon—that made me go back with her.

ROBERT LISTER. I am an officer. I found on the prisoner 9*s*. 10*d*., and two pairs of new stockings, which she refused to give any account of.

GUILTY.* Aged 28.—Confined Three Months.

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462. JAMES KEEFE and ALEXANDER WELLS were indicted for stealing, on the 28th of December, 1 pair of trowsers, value 5*s*., the goods of John Cohen.

JOHN COHEN. I keep a clothes shop in Monmouth-street. On the 28th of December, the prisoners and another came to my shop—while I was showing Wells a pair of trowsers, my neighbour gave me some information, and I missed a pair of trowsers from my door—I gave them into custody—Wells offered me the money for the trowsers which had been at the door.

Cross-examined by MR. PHILLIPS. *Q*. There were three persons came into the shop? *A*. Yes, Wells asked me to show him a pair of trowsers, and during the time I was showing him a pair, my neighbour told me that Keefe had stolen a pair of trowsers from the door—I did not say I would transport Wells if he did not pay me, nor any thing of the kind.

Q. Was not Wells quarrelling with you, and wanting a card of you, that he might get his 5*s*. from you, and that brought a crowd about? *A*. No—I did not get a half-sovereign from him—he did not show me a

half-sovereign—he offered me two half-crowns, and I had them in my hand, but I did not want to take them—I had them in my hand when the policeman came, and I gave them to him.

JOHN EVANS. I serve in the shop next door but one to the prosecutor. On Saturday evening, the 28th of December, I saw Keefe at the prosecutor's door—he took a pair of trowsers off the rail, folded them up, put them under his jacket, and ran up Monmouth-street—Wells was in the shop with another person, bargaining, I think, for a hat—I went back to my master's door, and in a few minutes Keefe came back—I said he was the person, and the prosecutor gave them into custody.

THOMAS KELLY (*police-constable F* 40.) I was sent for, and went to the shop—I saw the two prisoners there—Cohen said that Keefe had run away with a pair of trowsers, and that Wells had put two half-crowns in his hand—he gave them to me.

Cross-examined. Q. Did you hear the conversation between Wells and Cohen? A. When I got to the shop I did—Cohen said Wells had put two half-crowns into his hand—I did not tell them to settle it between them—Wells told me he had been at another shop, and I found he had—he told me that Mr. Cohen had changed him half-a-sovereign—I asked Cohen if he had, and he said no—Wells was remonstrating with Cohen, and angry with him—there was a mob of people when I got there.

(Keefe received a good character.)

KEEFE—GUILTY. Aged 21.—Confined Three Months.

WELLS—NOT GUILTY.

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463. THOMAS DANDY was indicted for stealing, on the 26th of December, 1 coat, value 3*l.* 3*s.*, the goods of Robert Barber.

ROBERT BARBER. I live in Chapel-street, Curtain-road. On the 26th of December I went to the City of London beer-shop, in Chapel-street—I pulled off my great-coat, and hung it on a peg—the prisoner was sitting opposite me, drinking with me, but I had never seen him before—I afterwards missed my great-coat—he was then gone, and I suspected him—went to the station-house, and gave information—he was taken on the Saturday following—he admitted he had taken it, and told where it was—this is my coat—(*looking at it.*)

JOHN GYLES HALES. I am a pawnbroker. I produce this coat, pawned by the prisoner on the 27th of December.

HENRY TURPIN (*police-constable G* 119.) I took the prisoner on the 28th of December.

JOHN JORDAN. I was with the prisoner in the beer-shop—I saw the prosecutor hang up his coat—about half-past nine o'clock it was missing, and the prisoner was gone—I looked after him, and he was found on the Saturday following—he acknowledged he took the coat, and said where it was.

Prisoner. I had been out of a situation a long time, and I meant to return the coat as soon I had borrowed money to get it.

(The prisoner received a good character.)

GUILTY. Aged 25.—*Recommended to mercy.*

Confined One Month.

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464. JAMES YOUNG was indicted for embezzlement.

THOMAS BRUIN. I keep the Golden Lion inn, St. John-street. The prisoner was my porter and carman—he was with me about

three weeks—he was accustomed to receive money on my account—we settled once a week—I kept a book—I have a clerk of the name of Freshwater.

THOMAS JACKSON. I am clerk to Mr. Howard, of Leadenhall-market. On the 9th of December Mr. Bruin sent seven packages of goods, and 7*s.* was demanded—I cannot say whether the prisoner was the person who had the money or not—we had no ticket, or any thing from Mr. Bruin.

JOB OWTRAM. I am clerk to Spence, Bagally, and Co., of Love-lane, Aldermanbury. I paid the prisoner 2*s.* on the 14th of December for his master—he produced this ticket for the 2*s.*, and I put my initials in his book.

Cross-examined by MR. PAYNE. *Q.* Did you never say it was a person whom you believed to be the prisoner? *A.* I believe I was not asked that question before the Magistrate—what I said was read over to me—I said I believed it was the prisoner.

THOMAS BRUIN *re-examined.* The prisoner did not account to me for the receipt of this 2*s.*, but only for 4*d.*, by getting his book altered from 2*s.* to 4*d.*—I have the book here—I spoke to him about it, and he said it was an empty case, for which they would not pay carriage—I asked why he had not brought his ticket back—he said he had lost or mislaid it—I then sent my book-keeper down to see how it was—I paid the prisoner a guinea a week.

Cross-examined. *Q.* He had been in your employ three weeks? *A.* Yes—I knew him as being in the habit of delivering goods—he had lived with Mr. Bloomfield, in Farringdon-street, and other places—he lives with a woman and two children, but I cannot swear whether she is his wife.

THOMAS FRESHWATER. I authorised the prisoner to take seven packages to Mr. Howard's, and to get 6*s.*—on his return he gave me 5*s.* 10*d.*—he said Mr. Howard said they were small packages, and they were not in the habit of giving more.

(The prisoner received a good character.)

GUILTY. Aged 29.—*Recommended to mercy by the Jury.*—Confined Six Weeks.

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465. HENRY FIELD was indicted for stealing, on the 24th of December, 1 basket, value 1*s.*; 1 bottle, value 5*s.*; and 6 gallons of vinegar, value 15*s.*; the goods of Charles Fassett Burnett and others.

WILLIAM SMITH. I am in the service of Charles Fassett Burnett and others, distillers, at Vauxhall. I was out on the 24th of December with my master's cart, which contained the articles stated, delivering goods at Mr. Walter's, in Fore-street, about six o'clock in the evening—I was not absent ten minutes, and when I was returning to my cart I heard the pully rattle—I turned my head, and saw the prisoner going away with this basket and bottle on his shoulder—I ran to him, and asked what he was going to do with it—he said a man gave it him to carry—another man came up, and took him, and he threw the basket off his shoulder, broke the bottle, and spilt all the vinegar.

CHARLES PARKER. I am a ribbon-dresser. I saw the prisoner come from the cart with this basket on his right shoulder—I stopped him, and at the same time the carman came up—he threw it off his shoulder, and said, "D— the basket."

Prisoner's Defence. What the first witness has stated is correct, but what this man says is false—it was given me by a man to carry.

(The prisoner received a good character.)

GUILTY. Aged 23.—Confined Six Months.

466. DENNIS CORBETT and WILLIAM ALEXANDER were indicted for stealing, on the 31st of December, 2 waistcoats, value 5*s.*, the goods of James Ross; and that Corbett had been previously convicted of felony.

JOSEPH DAVID LEATHART. I am a house-decorator. About five o'clock in the evening of the 31st of December I was talking to a policeman in St. James's-street—I saw the two prisoners and another boy in company—I said something to the policeman, and they tried to *shun up* to a door-way—I went up, and took hold of Corbett—I saw something sticking out from his coat—I said, "What have you got there?"—he said, "Nothing"—I said, "Yes, you have," and I pulled out this sleeved waistcoat—the other boy ran way—I looked round, and saw Alexander in custody of the policeman, and he found this other waistcoat on him.

GEORGE THORNTON. I am a police-constable. I was talking to the witness—I took Alexander, and found this other waistcoat under his waistcoat—it has been pinned up somewhere, and torn down—he said he had got nothing—I said, "What do you call this?"

JAMES REARDEN. I am in the employ of James Ross, in East-street, Manchester-square. These two waistcoats are his—they were safe at the door between two and three o'clock that afternoon—there were several persons at the door, and among them the prisoners.

Corbett's Defence. I was going down Marylebone-lane—two men asked us to go and pawn these waistcoats for them—when we got to St. James's-street we were stopped by the witness, and the policeman—the two men had been following us, but they ran away when they saw us in custody.

GEORGE MAWCROFT. I produce a certificate of Corbett's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the boy.

CORBETT†—GUILTY. Aged 16. } Transported for Seven Years
ALEXANDER†—GUILTY. Aged 13. } —Convict Ship.

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467. ELIZA ALDRIDGE was indicted for stealing, on the 1st of January, 1 turkey, price 8*s.*, the goods of Jane Gammon.

JOHN FISHER. I am bailiff to Jane Gammon, a farmer at Staines—she had a turkey that used to roost on some pales—it was very large, and in good condition—I missed it on the morning of the 1st of January—I then traced foot-marks to the prisoner's house, he lives adjoining our premises—he is a sawyer—he had seen the turkey every day, I dare say—the feet-marks had nails and tips on the heels, and a plate on the toes—I traced them to the prisoner's house, from the place where the turkey used to roost—when the prisoner was taken I saw his shoes, and they tallied exactly with the marks on the road—he said he had no such thing as a turkey in the house—I found several parts of turkey meat cut up, and it had been skinned, not plucked—all the feathers were gone but one—I could not swear to the marks of his shoes, but they were very much like them.

ROBERT TAYLOR. I am inspector of the Staines police. I went on Thursday morning about this—on the road I met the prisoner—I said he was suspected of stealing this turkey—he said he knew nothing of it—I said, "The foot-marks have been traced to your house"—I took him to the place where the foot-marks were, and measured his feet, and found they answered in every respect to the marks—I asked him if he had any turkey in his house—he said, "No, nothing like it"—I went into his

house, and in a cupboard I found the remains of a turkey which had been skinned, and the breast-bones and the pinions were gone—I found one feather on the track from prosecutor's premises to the prisoner's—I have not the least doubt that what I found was the remains of a turkey—I have since cooked some, and found it to be so—he told me it was a *hooker* his uncle gave him, that means a white swan.

Prisoner. *Q.* How can you tell they were my foot-marks? *A.* I am certain they could not correspond more exactly than they did.

GUILTY. Aged 25.—Confined Six Months.

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468. ALFRED TOPPING was indicted for stealing, on the 1st of January, 1 window-guard, value 3*l.*, the goods of William Price.

WILLIAM PRICE. I live in Norton Falgate. On the 1st of January, at a quarter before seven o'clock in the evening, I was in the bar, and a young woman came and told me my brass-work had been stolen from my window—I ran out, and pursued the prisoner, he turned a street—I followed him, and got near the side of him—my foot slipped and down I fell—I called "Stop thief"—he dropped this brass guard, which he had in his hand, and was taken—this is my guard, and the one he had in his hand.

SUSAN MEADOWS. I saw the prisoner take this from the prosecutor's window, turn up a court, and then turn up Worship-street—I told Mr. Price his guard was gone, and then he ran out—I swear the prisoner is the man.

ROBERT HARRIS. I was passing through Worship-street, and saw the prisoner running, carrying this brass guard in his hand—I pursued, and took him.

Prisoner's Defence. I never had the guard—I offered no resistance, but went with a good will to the station-house—I had been to a friend's house at Islington—I was returning home, and going through Long-alley, when I was taken.

GUILTY. Aged 22.—Confined Six Weeks.

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469. MARY ANN DEVENY was indicted for stealing, on the 23rd of December, 2 half-crowns, the monies of William Morter, from his person.

WILLIAM MORTER. I am a smith and bell-hanger, and live in Margaret-street, Spa-fields—I am single. I fell in with the prisoner on the 23rd of December, on Pentonville-hill, about twelve o'clock at night—we got talking together, and went to her lodging in Lucas-court, near Hunter-street—I gave her a shilling and two sixpences—I had then two half-crowns, five shillings, and two sixpences—I got on the bed with her for about five minutes—I felt her hand in my pocket, and I accused her of robbing me—she struck me with the poker, because I would not let her out of my sight—she got from the room, which was up stairs, and went into the parlour, but I still kept sight of her—the policeman heard the disturbance, and looked in—I accused her of robbing me—she denied that she took it, or had any half-crown on her—she was taken, and searched by a female, and the half-crowns found on her.

Cross-examined by MR. DOANE. *Q.* You had been drinking that night? *A.* No, I was sober—it was half-past twelve o'clock—I had been in the Borough to visit a friend—I had had supper—I drank some porter with it—I did not give her more money than I said—I told her when we were on the bed that she had her hand in my pocket—I am quite certain I gave her only one shilling and two sixpences—I had no quarrel with

her, but I kept close to her till I got a policeman, and gave her in charge.

WILLIAM ATTWOOD (*police-constable E* 88.) I was on duty—I passed the house, and heard a dispute—I put my head inside the door, and the prosecutor gave the prisoner in charge, for stealing two half-crowns—she said she had none, only one shilling and two sixpences which the prosecutor gave her—in going to the station-house she said she had one half-crown of her own—the prosecutor was quite sober.

Cross-examined. Q. Did you not hear the prosecutor say he had given her one shilling and two sixpences? *A.* Yes.

SUSANNAH BURTON. I am female searcher at the station-house. I found two half-crowns in the prisoner's right hand—I found nothing else on her, but 2½*d.*

(The prisoner received a good character.)

GUILTY. Aged 19.—*Recommended to mercy by the Jury.*—Confined Six Months.

OLD COURT.—*Thursday, January 9th,* 1840.

Second Jury, before Mr. Sergeant Arabin.

470. JOHN WHITE was indicted for stealing, on the 25th of October, 20 sovereigns, the monies of William Sturgess, his master.

WILLIAM STURGESS. I am a publican, and live in North-street, Fitzroy-square. The prisoner was a fortnight and a few days in my employ, as waiter and potman—on the 25th of October I gave him twenty sovereigns to get changed in the neighbourhood for silver—he did not return—I found him at the station-house last Monday week.

GEORGE JOHN RESTIEAUX. I am a policeman. I was looking for the prisoner from the 25th of October until last Monday week, when I apprehended him at his father's—I told him I took him for robbing Mr. Sturgess of 20*l.*, and what he said to me would be given in evidence—he said, "Never *hollo*"—I said, "What has become of the money?"—he said it was all spent long ago, and on the way to the station-house he said he would have had 100*l.* if he could have got it.

Prisoner. That part of his statement is false. *Witness.* It is true—there was a pistol and shot found in his bed-room at the prosecutor's.

GUILTY. Aged 18.—Transported for Seven Years.

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471. CHARLES CANNON and HENRY RAYNER were indicted for stealing, on the 31st of December, 1 clock, value 16*s.*, the goods of John Henry Bradley; to which

CANNON pleaded GUILTY.** Aged 13.—Transported for Seven Years —Convict Ship.

CHARLES BRADLEY. I am in the employ of my cousin, John Henry Bradley, in Plummer's-row, City-road. On Tuesday, the 31st of December, I saw the prisoners lurking about the house—I watched them, and saw Cannon take this clock off a table outside the shop, and hand it to Bradley, who stood at the corner, about two yards off—he ran off with it—I pursued, overtook him, and brought him back to the shop, with the clock under his jacket—this is it—(*looking at it.*)

——— ——— I am a policeman. I took him into custody.

Rayner. I did not do it.

RAYNER—GUILTY. Aged 13.—Whipped, and Discharged.

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472. JOHN JONES was indicted for stealing, on the 1st of January, 1 box, value 1*d.*, and 3oz. of spice, value 18*d.*, the goods of Jane Wrigglesworth.

JANE WRIGGLESWORTH. I am a widow, and keep a chandler's shop in Wilstead-street, Somers' Town. On the 1st of January, about nine o'clock at night, Betty came in and gave me information—I went up the street and overtook the prisoner, about six or seven doors off, across the street—he asked what he had done—I told him he had taken a spice box—he denied it—I brought him back—he said he had taken it, and given it to another boy—it had been on the counter—it contained three ounces of spice.

BRUCE BETTY. I saw the prisoner with another boy by the prosecutrix's shop—I saw the prisoner go in and take the spice box, come out, and hand it to the other boy, who escaped—I gave information.

GUILTY.* Aged 15.—Confined One Month, and Whipped.

Before Mr. Baron Gurney.

473. JOHN STARBROOK and FREDERICK STARBROOK were indicted for feloniously breaking and entering the shop of James Scanes, at Christchurch, on the 3rd of January, and stealing therein, 1 clock, value 15*s.*, and 1 pistol, value 6*s.*, his property.

JAMES SCANES. I am a whitesmith and bell-hanger, my shop is in Red Lion-court, Christchurch, Spitalfields. On Friday evening last it was broken open—it is not in my house—I left it secure at six o'clock—I went again at eight o'clock in consequence of information, and found the glass of the back window broken, the bars unfastened, the window thrown open, and a clock and a pistol taken—the clock had hung up in the shop, and the pistol had been in a drawer—the prisoner, John Starbrook, had been formerly in my service for about two years, off and on, and left in September.

WILLIAM DAY DAVIS. I am a policeman. On Saturday evening, between six and seven o'clock, in consequence of information I received, I watched the prisoners in Petticoat-lane, opposite a marine store shop—they looked about there for a few minutes—I then went up to them and spoke to Frederick—I asked what he had in his pocket—he said, "A pistol"—I asked what he was going to do with it—he said, "To sell it"—I said, "Is it yours?"—he said, "Yes"—I asked where he bought it—he said, "In Petticoat-lane, at a stall"—I asked what he gave for it—he said, "Two *bob*"—(meaning 2*s.*)—I asked if any body knew that he bought it—he said, "No"—I said, "How long ago is it?"—he said, "About two months"—I said, "Did any body know you had such a thing in your possession?"—he said no, but he had pawned it several times—I said, "Where?"—he said he did not know, but if I thought it was not his I might go and find an owner, for he knew I could not find one—I asked who that was he was with—he said he did not know, he had merely met him there—I said, "I saw you speak to him"—he said he did not, he knew nothing of him—I took them both to the station-house—Mr. Scanes had given information at the station-house of his robbery.

JAMES SCANES *re-examined.* This is my pistol—I have had it about

four years—it has been about two years in the shop—they left the cap of it in the shop—I have it here, and it fits it—I have not found the clock.

JOHN STARBBOOK—NOT GUILTY.

FREDERICK STARBROOK—GUILTY. Aged 23.—Confined Six Months.

Before Mr. Justice Erskine.

474. GEORGE CHEESEMAN was indicted for unlawfully, maliciously, and feloniously assaulting Joseph Savage, on the 21st of December, at Heston, and stabbing and cutting him on his right cheek, with intent to maim and disable him.—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

JOSEPH SAVAGE. I am under ostler, employed at the Coach and Horses public-house, Hounslow. On Sunday morning, the 21st of December, about half-past one o'clock at night, or between one and two o'clock, I was outside the door feeding a team of horses—the prisoner came up to our door with two more, and asked for some beer—it was not given to them—the door was shut—they kicked and knocked the door about—Hall, the constable, happened to be in the house at the time—he came out and persuaded them to go off without making a disturbance—they were abusive to him, and said they had as much business in the house as he had—they did not go—they resisted against him—he was pushing them away, after a good deal of persuasion—they began scuffling with him—the prisoner was one of those who scuffled with him—one of his *mates* pushed up against me as I was feeding the horses, and I pushed him down in the road, and directly afterwards the prisoner stabbed me in the face—I saw the prisoner just before I received the blow—he was not many yards from me when I pushed his *mate* down—he struck at me almost directly after—I did not see any thing in his hand before he struck me—I only felt the blow in my face, and felt something jar—I then collared him and threw him down, and while he was down I saw the blade of a clasp knife in his hand—I said, "I am stabbed," and gave him in charge of the constable—I charged him with having stabbed me in his presence—I went in doors, and had my face washed with warm water—I found my right cheek was cut—the knife had struck against the bone—I went to the doctor's and had it strapped up—after they got the prisoner in doors, he said Massey had given him the knife to stab Hall, the constable, with.

Prisoner. I was very tipsy at the time. *Witness.* He had been drinking—he appeared a little bit tipsy.

HENRY WALKER. I am ostler at the Coach and Horses public-house, at Hounslow. I was in the house on this night—the prisoner came up to the door with others—the constable was inside—he comes round once every hour—the constable persuaded them to go away, as they could not have any thing to drink—they resisted, and said they would not go till they did have something—after a good deal of persuasion they began to abuse the constable, and he began to push them away—Savage was feeding the horses—they pushed towards the horses—he went to push one of them away, and the prisoner then struck him on the right cheek—I was not close enough to see if he had any thing in his hand—I was going towards them, and heard Savage say, "I am stabbed"—I met Savage, with his face bleeding—I brought the prisoner into the house—he said to Hall, "Massey gave me the knife to stab you with"—there was a person named Massey with the prisoner at the time of the scuffle.

WILLIAM HALL. I am a constable. I was at the Coach and Horses public-house on this Sunday morning, and saw the prisoner and two more outside—I was inside when they began knocking at the door—I went out to them, and begged them to go away quietly, as it was a late hour and they could not have any beer then—they began abusing me, and still kept knocking—when I found they would not go away, I caught hold of Massey and pulled him from the door—they then commenced a fight, and while I was keeping Massey back I heard Savage halloo out, "I am stabbed"—I was a distance off—I went to him, and found his cheek bleeding very much—he gave charge of the prisoner—I brought him into the house, and while I was searching him he said, "Massey gave me the knife to stab you"—I produce the knife which I found in his pocket—I afterwards apprehended Massey, but the Magistrate discharged him—I did not see any blood on the knife—I saw Savage's cheek—it bled very much, and after I secured the prisoner I took him to the doctor's—it appeared to be cut two ways—it appeared to have been made by a knife like this.

CHRISTOPHER BROWNING EMMETT. I am a surgeon, and live at Hounslow. On Sunday morning, the 21st of December, I saw Savage at two o'clock—I examined his right cheek, and found a triangular wound just over the cheek-bone—I did not probe it—I examined it carefully—it appeared to have been inflicted by a sharp instrument—the knife produced is very capable of inflicting such a wound—it appeared to go down to the bone—the triangular shape must have been caused by the knife striking against the bone, and glancing—there was no contusion.

Prisoner's Defence. I was very tipsy—I and two more had been drinking all the evening—we went to ask for some beer—they would not let us have any—we got fighting, and Savage hallooed out that he was stabbed, but I did not know anything about it.

(The prisoner received a good character.)

GUILTY. Aged 19.—*Recommended to mercy*—Confined Twelve Months—Three Weeks Solitary.

Fourth Jury, before Mr. Baron Gurney.

475. GEORGE ROGERS was indicted for feloniously breaking and entering the dwelling-house of Thomas Bean, on the 1st of January, at Enfield, and stealing therein, 6 spoons, value 10*s.*; 1 tooth-pick, value 1*s.*; 1 seal, value 1*l.*; 1 watch-key, value 8*s.*; 1 handkerchief, value 5*s.*; 1 tobacco-box, value 1*s.* 6*d.*; and ½lb. weight of sugar, value 4*d.*; his goods.

LEAH PETER. I live next door to Mr. Bean, at Ponder's-end, in the parish of Enfield. On the morning of the 1st of January I observed somebody in Mr. Bean's house, soon after ten o'clock—I saw the back-door open, and knowing they were both gone to their work, I called four or five times, "Mrs. Bean"—I received no answer, but the door was then quite closed by somebody inside—I continued to watch, and got up on a fence, looked through the kitchen window, and saw a boy inside the house—I sent my little boy to fetch a neighbour—I saw the prisoner come out of the back-door and climb over the fence—I am sure he is the boy—when I first saw him through the window I was about a yard from the window, close by him.

Prisoner. Q. Why did you not catch me when you saw me? A. I directly sent my little boy down to tell Mr. Bean.

THOMAS BEAN. I left my house about five minutes before eight o'clock—I was the last person in the house—I locked it up—in consequence of information, I went after the prisoner, before I got to my house, and found him under some straw in a barn—I secured him, and led him into the road—he said if I would take him into the barn again he would go and show me where my things were—I took him back, and he pulled the property out from under the straw, and in his jacket pocket there were six tea-spoons, a tooth-pick, a watch-seal, and a key, all of which were mine, and a silk handkerchief they were wrapped up in—I then went to my house, and found he had got in at the window, which had not been fastened down—I left it shut down—he had then opened all the drawers, and taken the things.

JOHN GUIVER. I am a constable. I received the prisoner in charge, and have the property.

(*Property produced and sworn to.*)

Prisoner's Defence. I found them tied up in the handkerchief going along—I took them up and hid them, and when I heard they were stolen property, I was going to give them up, but they came and ill used me.

GUILTY.* Aged 15.—Transported for Fifteen Years.

Before Mr. Justice Erskine.

476. CHARLES HAYDEN was indicted for stealing, on the 13th of December, 1 gelding, price 8*l.*, the property of William Elliott.—2nd COUNT, for killing it with intent to steal the carcase.

WILLIAM WARING. I am gardener to Mr. Reynolds, of Brentford, and live in a nursery belonging to him at Isleworth. On Friday morning, the 13th of December, about seven o'clock, I was in the road, and saw a grey pony staggering about the road bleeding, but being dusk I could not see where the blood came from—it staggered across the road, his hind legs fell under him, he then fell down, and soon died—I examined it, and saw it had been stuck at the bottom of the throat, and to the chest I consider—that was all the marks I observed at that time—I returned to the nursery about my business, and in about half-an-hour I saw two men approach the horse—I was in sight of where it lay—one was a tall man in a fustian jacket—the other a shortish man wore a darkish coloured coat—I cannot say whether it was black or blue—I cannot swear to the men—I have no doubt the prisoner was one of them, but would not undertake to swear it positively—they were trying to push the blood about to hide it, by placing mud on the blood that was about the road—I went up to the tall man in the fustian jacket, and asked if it was his horse—he said, "Yes"—I asked how he came to stick the poor thing, and go away and leave it in that manner—he said, "It was no use after"—that was all he said—I went to the other man who stood by the horse, and asked him if any thing was the matter with the horse—they were both together, and in hearing—all he said was, "I don't know, master"—I went away directly to the nursery—I came back in about two minutes, and they were gone—the horse laid in the road, and was fetched away in the afternoon by somebody, but I never saw it after—it was a grey pony, and a gelding—the last time I saw it was in the road, between Isleworth and Brentford, by the side of the road, just at the corner of the Duke of Northumberland's wall—it was not above three or four yards from the ditch—

there was only the footpath between the ditch and the horse—I did not observe any particular marks on the horse.

WILLIAM ELLIOTT. I am a butcher, and live at Sherwin Green, Hampshire. The prisoner lived with me between two and three years ago—I have not seen him in Hampshire for two or three years—he has been living near Brentford, I understand—I had a grey pony gelding, which I turned into a meadow at Hartley parish, about a quarter of a mile from my place—I missed it on Friday morning, the 13th of December—I had seen it myself the Tuesday night before in my yard, and sent my servant into the meadow with it—I did not afterwards see it in the meadow myself—I had not authorized any body to take it away, nor sell it—I saw it next at Brentford, which is about thirty-seven or thirty-eight miles from Hartley—it was dead then, and lying in a stable under the care of a man named Bevan, I think—Taylor, a Sheriff's officer, took me to see it—he is not here—I examined the horse—its inside had been taken out then—I saw a scar on the leg, which I could swear to—I did not see any wound about the neck, because it was opened all down the neck and belly, and laid on his back, and his inside was washed out—I am sure it was my pony by the wound in the leg—I had had him about a month—he had the wound on the leg when I first had it—I often observed it—it was on the off far leg, at the fetlock—I have the limb here—(*producing it*)—it was an iron grey—I can swear positively it was the pony I missed from my field—I never saw it in the prisoner's presence, nor ever had any conversation with him on the subject.

EDWARD TALBOT. I am a police-constable of Brentford. On Friday, the 13th of December, I received information and went to Isleworth parish, and found a grey gelding by the side of the road—it was three or four yards from the ditch, which is close to the Duke of Northumberland's wall—the road leads from Brentford to Isleworth—it was eight or ten yards from Mr. Reynold's garden, where Waring works—I saw a quantity of blood in the road, which appeared as if mud had been scraped over it—I first saw the blood thirty or forty yards from the horse—it was dead—it had a wound in the neck, apparently recently inflicted, and the blood was fresh—the horse was taken to Brentford, to Bevan's stable—I saw it in that stable in Bevan's presence—he was standing in the road when I got up to the horse—he is not here now—I was never present when Taylor, the Sheriff's officer, was at the stable with the horse, nor when Elliott was there—the stable is in Catherine Wheel-yard, Brentford—Bevan has only one stable there—there are other stables in the yard—the yard is a thoroughfare—Bevan's stable is on the left-hand side going from Brentford—the other end of the yard opens to the locks of the Thames—it is about a third of the way down—the prisoner was never present there with me—the horse was opened afterwards, from the throat right down through the belly, and the inside taken out—I observed a mark on the leg, which I should know again—(*looking at the leg*)—this is the leg of the horse I found in the road—I apprehended the prisoner the same day at Brentford—I asked him if he knew any thing of that horse which was lying by the Duke's wall, at Isleworth—he said, "Yes, I killed it"—he said the horse was his own, and he had a right to do as he liked with his own—I had not threatened nor promised him at all—I asked him how he came to kill the horse—he said because it was no use, he could not get it any further—he then showed me the knife he killed it with, which I produce—the stain of blood is on it now.

WILLIAM ELLIOTT *re-examined*. I do not know the name of the yard

the stable was in—it was a sort of thoroughfare leading out of Brentford-street, and on the left hand going from the street.

WILLIAM WARING *re-examined.* When I first saw the horse staggering in the road it was going towards Isleworth, that is further from town than Brentford—the horse was not going direct for London, but turned back towards Isleworth—Isleworth is nearer to Hampshire than Brentford.

ABRAHAM NOAKES. I buy and sell poultry, and buy old dead horses, and such things. On the 13th of December the prisoner came to my house, and asked if I bought such things as a dead pony—I asked where it was—he told me it laid in the Isleworth-road—I went with him to look at it, and found it lying in the road, four or five yards from the Duke of Northumberland's wall—it was a grey gelding—I asked what he wanted for it—it was dead—I did not notice how it had been killed, for while I was looking at it they said it was killed in an *indecent* way, and I went away—the prisoner pointed it out as the one he wanted to sell—we were about half an hour together—he said the pony was taken bad in the head, and dropped, and then he was obliged to kill it.

Prisoner. I hope you will consider it is the first offence I was ever guilty of; I hope you will have mercy on me.

GUILTY. Aged 25.—Transported for Ten Years.

Before Mr. Baron Gurney.

477. JOSEPH PATTERSON was indicted for feloniously breaking and entering the dwelling-house of Adam Ranwell and another, at the liberty of Norton Falgate, and stealing therein 6 handkerchiefs, value 24*s.*, and 3 yards of silk, value 12*s.*; their property.

HENRY JOHNSON. I am in the service of Adam Ranwell and another, linen-drapers in the liberty of Norton Falgate. On Saturday night, the 28th of December, the policeman came, and drew my attention to the shop-window—I found one pane of glass had been broken, and nine silk handkerchiefs taken out—I went with him to the station-house, and found the prisoner in custody with the property.

GEORGE TREW. I am a policeman. I was on duty on the evening of the 28th of December, about six o'clock, in plain clothes—I observed the prisoner, with two others, near the prosecutor's shop—I watched them for nearly half-an-hour—they were walking backwards and forwards—I stood in a dark court, and saw them all close up to the window, and in a few minutes I saw the prisoner bring some glass from the window and put it in the kennel—it was part of a pane—they then walked backwards and forwards—then one stood close to the window, and the other, with the prisoner, was there—I saw the prisoner take the handkerchiefs out of the window, and go round Spital-square—I followed and collared him, just putting the handkerchiefs into his hat, having taken them from his coat—I took him to the station-house with the property—I went and gave information to Johnson.

Cross-examined by MR. PAYNE. *Q.* How far were you from the window? *A.* On the opposite side of the way, standing in a dark court, by the gallery of the City Theatre, watching them—I had a smock-frock on, and a short pipe in my mouth, in the disguise of a countryman—I had no tobacco—I could see clearly all that took place—the entrance of the theatre is right opposite the prosecutor's—I was in a court by the side of theatre—I had to look aslant—I stopped the prisoner about forty yards

from the shop, just turning into Spital-square—I saw him put the glass into the kennel—I went afterwards and brought a piece of it away, but something had gone over it, and crushed it all to pieces—I am certain I cannot be mistaken in the prisoner.

HENRY JOHNSON *re-examined*. These are my master's handkerchiefs, and have a mark on them—they were in the window, within reach of the broken pane—he might have taken twice the quantity out if he had had an opportunity.

MR. PAYNE. *Q*. Was not your attention called to the window by a female? *A*. Yes, almost at the same moment as the policeman—she came in rather before the policeman.

GUILTY. Aged 20.—Transported for Fourteen Years.

Before Mr. Justice Erskine.

478. ELIZABETH WHITE was indicted for stealing, on the 3rd of January, 1 towel, value 6*d*.; 3 candles, value 3*d*.; 4 oz. weight of soap, value 2*d*.; 1½lb. weight of bread, value 4*d*.; and 1½ oz. weight of butter, value 2*d*.; the goods of James Peat, her master: and MARY ANN SELLERS, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

JAMES PEAT. I am of no profession—I live at No. 32, Duke-street, St. James. The prisoner White was in my service, as cook, for about a fortnight and two or three days—in consequence of suspicion, on the 3rd of January, between six and seven o'clock in the evening, I went out of my house, and secreted myself a few doors off on the other side of the way—I could see my own door from that place—I had not been there above five minutes, when I saw White come out of the private door—I have more than one door—she had no bonnet on—I saw her come out of the house with something in her apron—she came up the street on the side belonging to where I was standing, when she was met by Sellers—I saw not what in her hand—White took something wrapped up in a white [illegible] from her apron—Sellers opened her basket, and White put the bundle into it—they stood in conversation about two minutes, and then walked together towards Piccadilly—I followed them, hoping to meet a policeman—they went as far as the White Horse cellar public-house before I could find one—I then gave them into custody—they did not see I was following them—the basket was searched by the policeman, and in it was something wrapped up in a towel, which appeared to be the same bundle I had seen put in—it contained a quantity of bread, three kitchen candles, some soap, and some butter—I examined the towel, and know it to be mine—there was nothing else in the basket which I claimed—Sellers was carrying it—I searched my house, and we missed the towel, some candles, bread, soap, and butter—we have missed two more towels besides—I know this towel to be mine.

Cross-examined by MR. PAYNE. *Q*. Do you mean you yourself missed the bread, butter, candles, and soap? *A*. Certainly not individually, only by representations from the female part of the family—I only swear to the towel—there is no mark on it, but it is part and parcel of a covering to a carpet we had when I lived in a large house in Clarges-street, and it was cut up for towels—I have brought one other here, and am satisfied of it—I had a good character with White—the things are not worth 18*d*., but when I saw a bundle taken out I thought it was something else, and when I got before the police I was bound to go on—I believe she bore a good charac-

the stable was in—it was a sort of thoroughfare leading out of Brentford-street, and on the left hand going from the street.

WILLIAM WARING *re-examined.* When I first saw the horse staggering in the road it was going towards Isleworth, that is further from town than Brentford—the horse was not going direct for London, but turned back towards Isleworth—Isleworth is nearer to Hampshire than Brentford.

ABRAHAM NOAKES. I buy and sell poultry, and buy old dead horses, and such things. On the 13th of December the prisoner came to my house, and asked if I bought such things as a dead pony—I asked where it was—he told me it laid in the Isleworth-road—I went with him to look at it, and found it lying in the road, four or five yards from the Duke of Northumberland's wall—it was a grey gelding—I asked what he wanted for it—it was dead—I did not notice how it had been killed, for while I was looking at it they said it was killed in an *indecent* way, and I went away—the prisoner pointed it out as the one he wanted to sell—we were about half an hour together—he said the pony was taken bad in the head, and dropped, and then he was obliged to kill it.

Prisoner. I hope you will consider it is the first offence I was ever guilty of; I hope you will have mercy on me.

GUILTY. Aged 25.—Transported for Ten Years.

Before Mr. Baron Gurney.

477. JOSEPH PATTERSON was indicted for feloniously breaking and entering the dwelling-house of Adam Ranwell and another, at the liberty of Norton Falgate, and stealing therein 6 handkerchiefs, value 24*s.*, and 3 yards of silk, value 12*s.*; their property.

HENRY JOHNSON. I am in the service of Adam Ranwell and another, linen-drapers in the liberty of Norton Falgate. On Saturday night, the 28th of December, the policeman came, and drew my attention to the shop-window—I found one pane of glass had been broken, and nine silk handkerchiefs taken out—I went with him to the station-house, and found the prisoner in custody with the property.

GEORGE TREW. I am a policeman. I was on duty on the evening of the 28th of December, about six o'clock, in plain clothes—I observed the prisoner, with two others, near the prosecutor's shop—I watched them for nearly half-an-hour—they were walking backwards and forwards—I stood in a dark court, and saw them all close up to the window, and in a few minutes I saw the prisoner bring some glass from the window and put it in the kennel—it was part of a pane—they then walked backwards and forwards—then one stood close to the window, and the other, with the prisoner, was there—I saw the prisoner take the handkerchiefs out of the window, and go round Spital-square—I followed and collared him, just putting the handkerchiefs into his hat, having taken them from his [illegible] took him to the station-house with the property—I went and [illegible] formation to Johnson.

Cross-examined by MR. PAYNE. *Q.* How far were [illegible] dow? *A.* On the opposite side of the way, stand[illegible] the gallery of the City Theatre, watching the[illegible] and a short pipe in my mouth, in the disg[illegible] tobacco—I could see clearly all that [illegible] theatre is right opposite the prosecut[illegible] theatre—I had to look aslant—I s[illegible]

from the shop, just turning into Spital-square—I saw him put the glass into the kennel—I went afterwards and brought a piece of it away, but something had gone over it, and crushed it all to pieces—I am certain I cannot be mistaken in the prisoner.

HENRY JOHNSON *re-examined.* These are my master's handkerchiefs, and have a mark on them—they were in the window, within reach of the broken pane—he might have taken twice the quantity out if he had had an opportunity.

MR. PAYNE. *Q.* Was not your attention called to the window by a female? *A.* Yes, almost at the same moment as the policeman—she came in rather before the policeman.

GUILTY. Aged 20.—Transported for Fourteen Years.

Before Mr. Justice Erskine.

478. ELIZABETH WHITE was indicted for stealing, on the 3rd of January, 1 towel, value 6*d.*; 3 candles, value 3*d.*; 4 oz. weight of soap, value 2*d.*; 1½lb. weight of bread, value 4*d.*; and 1½ oz. weight of butter, value 2*d.*; the goods of James Peat, her master: and MARY ANN SELLERS, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

JAMES PEAT. I am of no profession—I live at No. 32, Duke-street, St. James. The prisoner White was in my service, as cook, for about a fortnight and two or three days—in consequence of suspicion, on the 3rd of January, between six and seven o'clock in the evening, I went out of my house, and secreted myself a few doors off on the other side of the way—I could see my own door from that place—I had not been [illegible]re above five minutes, when I saw White come out of the private do[illegible] M. have more than one door—she had no bonnet on—I saw her come [illegible]risoner the house with something in her apron—she came up the street [illegible] belonging site to where I was standing, when she was met by Seller[illegible]m not sure in her hand—White took something wrapped up in a white [illegible] from her apron—Sellers opened her basket, and White put the b[illegible]nto it—they stood in conversation about two minutes, and then wal[illegible]ether towards Piccadilly—I followed them, hoping to meet a policem[illegible]hey went as far as the White Horse cellar public-house before I could find one—I then gave them into custody—they did not see I was following them—the basket was searched by the policeman, and in it was something wrapped up in a towel, which appeared to be the same bundle I had seen put in—it contained a quantity of bread, three kitchen candles, some soap, and some butter—I examined the towel, and know it to be mine—there was nothing else in the basket which I claimed—Sellers was carrying it—I searched my house, and we missed the towel, some candles, bread, soap, and butter—we have missed two more towels besides—I know this towel to be mine.

Cross-examined by MR. PAYNE. *Q.* Do you mean you yourself missed the bread, butter, candles, and soap? *A.* Certainly not individually, only by representations from the female part of the family—I only swear to the towel—there is no mark on it, but it is part and parcel of a covering to a carpet we had when I lived in a large house in Clarges-street, and it was cut up for towels—I have brought one other here, and am satisfied of it—I had a good character with White—the things are not worth 18*d.*, but when I saw a bundle taken out I thought it was something else, and when I got before the police I was bound to go on—I believe she bore a good charac-

ter before she came into my service, and am fearful her mind got contaminated between the last service and mine.

SAMUEL GLASSCOCK. I am a policeman. On the 3rd of January Mr. Peat gave me directions, in consequence of which I took the two prisoners, by the New White Horse cellar public-house, Piccadilly—I found a basket in possession of Sellers, and a bundle in it, containing the articles stated—I have it here.

Cross-examined. Q. In what state were the candles? A. When I undid the bundle, I found they were broken—it was yellow soap—they are just in the state they were—it is not a whole loaf—the candles are whole ones broken—Sellers seemed to be rather weak—she walked very well with me—I did not take her to the office.

COURT. Q. When did Sellers appear very weak? A. The night I took her—she appeared to be very weak when she was locked up—I did not see her walking along the street before I took her.

JAMES PEAT *re-examined.* I can safely say this towel is mine—here is the fellow one—we had not time to mark them, they had only been recently made—I am positive it is mine—I had not given White leave to dispose of it—I know nothing of Sellers.

MR. PAYNE. Q. Did Sellers appear to be weak? A. She did not to me—she appeared to come up with great alacrity to the servant to receive the articles, and I did not afterwards perceive she was weak.

WHITE—GUILTY. Aged 34. } *Recommended to mercy.*—
SELLERS—GUILTY. Aged 36. } Confined Three Months.

Before Mr. Baron Gurney.

479. GEORGE D[illegible]Y was indicted for stealing, on the 24th of January, 2 yards of woollen cloth, value 1*l.* 12*s.*, the goods of William Jamieson Anson, his master, and [illegible] COUNT, stating it to be the goods of James Hargrave and others.

[illegible] the police.

MR. [illegible] *conducted the Prosecution.*

CHARLES BOND. I am shopman to Mr. Bartram, a pawnbroker in Princes-street, Soho. I have some olive-green cloth, which was pawned on the 24th of January, 1839, in the name of John Freer—I cannot say who by—I know the prisoner as pawning property of this kind in the name of Freer, but whether he pawned this I cannot say—I took in the pledge, and wrote the duplicate—I am not able to say whether the prisoner pawned this.

NOT GUILTY.

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480. GEORGE DALY was *again* indicted for stealing, on the 6th of May, 52 yards of woollen cloth, called buckskin, value 13*l.* 13*s.*, the goods of William Jamieson Anson, his master.—2nd COUNT, stating it to be the goods of James Hargrave and others.

MR. PAYNE *conducted the Prosecution.*

WILLIAM JAMIESON ANSON. I am agent for the firm of James Hargrave and Company, of Leeds, and carry on business in Wood-street, Cheapside—there are three partners—I receive property from their factory at Leeds regularly, and am responsible to them—the prisoner was my porter for rather more than two years and a half—about the 10th of December I took stock, and found myself short about one hundred and twenty yards of woollen cloth called buckskin; in consequence of that, something passed between me and the prisoner, and in consequence of what I heard, I discovered some property at the pawnbroker's—I received a duplicate from Mr. Nussey, in the presence of the prisoner's brother—I have kept it ever

since—the prisoner was not present—his brother had given it to Mr. Nussey at that interview.

CHARLES BOND. I am shopman to Mr. Bartram, a pawnbroker in Princes-street, Soho. I have two yards and a quarter of buckskin, pawned on the 6th of May, in the name of John Freer—I took it in, and the duplicate was written by the boy—I do not know who pledged it—I have no belief on the subject—it was a man—the prisoner has often pawned at our shop, and always in the name of John Freer—I have some other property, pawned on the 20th of May, about the same quantity, in the same name—I cannot say whether it was pawned by the same person—the prisoner has pawned many things similar to this, buckskin and cloth—I know him by sight, but do not know whether he pawned these articles or not—he has pledged buckskin on every occasion that he came—the duplicate of the pledge on the 6th of May is in the hand-writing of a person in our shop—it was affixed to the property I have produced—the one produced by Mr. Anson corresponds with it, and is the ticket which would be given to the person pawning on the 6th of May.

STEPHEN DALY. I am the prisoner's brother—I am a tailor, and live in Dorset-place, Pall Mall East. My brother gave me this ticket, and I gave it to Mr. Nussey, on the Thursday night that he was charged—I received it from my brother at the latter end of May or beginning of June—he wished me to take care of it—it was a duplicate, similar to this—I cannot say this is the same—I have rather a doubt of it—I did not look particularly at the ticket I gave Mr. Nussey, and cannot say whether this is the ticket or not—I had it until December—I did not see Mr. Nussey hand it over to Mr. Anson.

Cross-examined by MR. BODKIN. *Q.* Where was Mr. Nussey when you gave him the ticket? *A.* At my lodgings—the prisoner was present at the time, no one else—I kept the ticket in a box belonging to myself—there were six or seven other duplicates there—I am not sure I gave Mr. Nussey the same ticket I received from my brother in May.

MR. PAYNE. *Q.* Did not you tell me you gave the ticket you received from your brother to Mr. Nussey? *A.* I gave Mr. Nussey a ticket, and to the best of my recollection that is the same ticket.

COURT. *Q.* Do you remember who was the pawnbroker? *A* I cannot charge my memory with that—I asked what it was that was pawned, and received no further answer than that it was kerseymere.

WILLIAM DAY. I am shopman to Mr. Newby, a pawnbroker, in Drury-lane. I produce two yards and a half of buckskin, pawned on the 25th of August, in the name of John Freer, for 6*s.*—I took it in, and wrote the duplicate, and to the best of my belief the prisoner pawned it—I also produce two yards and a half pawned on the 14th of September, for 5*s.*, to the best of my belief by the prisoner, in the name of John Field.

JOHN EWELL. I am shopman to Mr. Stephens, a pawnbroker, in Wardour-street, Soho. I produce some buckskin pawned on the 28th of July, in the name of Freer—I cannot say who by, but to the best of my belief it was the prisoner—I have three quantities pawned in the same name on the 13th of September, which I believe was pawned by the prisoner—and another parcel pawned on the 21st of October—I cannot say who pawned that—I did not take it in—it was in the name of Freer.

GEORGE FREDERICK LAMBERT. I am shopman to Mr. Burgess, of Long Acre. I have a piece of buckskin pawned on the 12th of August,

for 6*s.*, in the name of John Freer—I cannot say who pawned it—I have no knowledge of the prisoner—I have no belief who pawned it—I have seen the prisoner before, but I cannot remember where—I cannot say whether I have seen him at my master's.

WILLIAM COWDEROY. I am shopman to Mr. Lawton, of Green-street, Leicester-square. I have five pieces of buckskin, the first was pawned on the 29th of July, another on the 22nd of August, another on the 23rd of September, another on the 28th of September, and another on the 2nd of November—four of them are in the name of Freer, and the other in the name of Creer—I do not know who pawned any of them—I have a faint recollection of the prisoner by sight, but not as pledging them—I think I have seen him at my master's—his face is familiar to me—I have no doubt I have seen him there.

ALFRED BROUGH. I am shopman to Mr. Harrison, a pawnbroker, in Wardour-street, Soho. On the 13th of August, a piece of kerseymere was pawned in the name of Davis, and on the 26th of September, a piece of buckskin in the name of John Freer—I cannot say who pawned them—I took in the last one—I have no recollection who pawned it—I do not know the prisoner's person.

EDWIN AUGUSTUS HEWITT. I am shopman to Mr. Walmsley, a pawnbroker, in Drury-lane. I produce a piece of buckskin pawned on the 24th of October, for 8*s.*, in the name of John Freer—I cannot say who by—I never saw the prisoner to my knowledge.

WILLIAM PETHEBIDGE. I am shopman to Mr. Hedges, a pawnbroker, in Drury-lane. I produce a piece of buckskin pawned on the 8th of October, for 10*s.* 6*d.*, in the name of John Freer—I do not know the prisoner—I have no belief about him.

JOHN TICKNER. I am shopman to Mr. Young, of Princes-street, Soho. I have a piece of buckskin pawned on the 29th of October, for 8*s.*, in the name of John Freer—I cannot say who by—the prisoner's person is familiar to me—I cannot say he pawned the article—I am not aware of having seen him at my master's shop—it may have been there, or it may be in the neighbourhood.

FRANCIS SPICE. I produce three pieces of kerseymere, pawned in the name of John Freer, one on the 30th of August for 8*s.*, another on the 22nd of October—I took both in—I cannot say who pawned them—I do not know the prisoner—I never saw him in my life to my knowledge—I did not take in the third piece—that was pawned on the 8th of August, in the same name.

MR. ANSON *re-examined.* I have examined the articles produced—I have the pieces they were cut from, and have no doubt of their being mine—they are all buckskin—it is kerseymere, but it is figured as well—it is of the same texture as kerseymere, but different in pattern.

Cross-examined by MR. BODKIN. *Q.* How old is the prisoner? *A.* I think about twenty years of age according to his own statement—he has been in my service rather more than two years and a half—mine is a pretty extensive concern—I have a good deal of property at the warehouse—he did not sleep there—I trusted him very much with the care of property—he was frequently left in care of it for a week at a time, with 4000*l.* or 5000*l.* worth of property—I paid him 10*s.* a week—he had not so much when he first came—I rose it every year—I spoke to him about it when I missed the property in December.

Q. Did you tell him if he would communicate to you all that he had done, he should not be in the slightest degree hurt, prosecuted, or proceeded against? *A.* I stated to him that if he would communicate to me how he had disposed of the property, and who his accomplices were, and if that information led to the recovery of the property, I had no wish to prosecute him—(*looking at a paper*)—I did not write that paper—I signed it, and gave it to him—it was written by Mr. Nussey, a brother of one of the partners, and dictated and composed by Donaldson, the inspector of police, who he called in.

(*Read*)—"I, William Jamieson Anson, promise and pledge myself, that provided George Daly, now in the employ of the said William Jamieson Anson, makes known any circumstance or circumstances connected with, or proving a recent felonious robbery of sundry cloths mentioned in a certain handbill or placard, and belonging to my employer or employers; or in other words, any circumstance or circumstances connected with a robbery of any property belonging to my employer or employers aforesaid, in which *I have* at any time been concerned, either directly or indirectly, do promise as aforesaid to forgive him, the said George Daly, and not prosecute according to law, in any Court of Justice, him, the said George Daly, provided he, the said George Daly, do make known the whole of the circumstance or circumstances aforesaid; or do make known, without disguise or deceit, the possessors, or purchasers, or receivers of the said cloths or property, which may in any way or manner tend to lead to a recovery of the said property without purchase.

"Dated this twelfth day of December, in the Year of our Lord, one thousand eight hundred and thirty-nine, at No. 106, Wood-street, Cheapside, London. Signed by me, WILLIAM JAMIESON ANSON.

"*Witnesses*—THOMAS NUSSEY, WILLIAM GEORGE WHITMARSH, JOSEPH TOD HUNTER."

Witness. After delivering that paper to the prisoner, I allowed him to go to his parent's house—Mr. Nussey gave him some money when he left me—he was told to go home and collect his ideas, and write out all he knew of the matter—he was soon after taken into custody.

COURT. Q. When did you give that paper? *A.* It was given to him on the 12th of December, when it is dated—he was taken into custody about the 15th—this is the placard he refers to in the paper—(*looking at it*)—(*The placard stated, that on the night of the 13th of November certain superfine black cloths, of the value of 150l., had been stolen from the prosecutor's premises, and offering a reward of twenty guineas for the discovery of the offenders, and the recovery of the property.*)—The paper was written about eight o'clock in the evening, and the prisoner was allowed to go home, but one of the policeman in Dorset-place, Charing-cross, where his brother lodges, had been informed of the robbery, and they took him that night, and the policeman came down to me—he did not bring me the paper—he asked if I had given one—I told him I had, and the prisoner was allowed to go at liberty—he came back to me the following day, to make the confession—he was about to make a statement to me, and I said, "You appear too much excited to do it now; go home and write it down"—Mr. Nussey went that afternoon and took him—I was not present—I was shown a paper containing information about this property.

WILLIAM GEORGE WHITMARSH *re-examined.* I produce it—I did not show it to the prosecutor—I believe a copy of it was shown him.

MR. ANSON *re-examined.* I received a copy of this from the prisoner after he was in custody—I think it is in the hands of my solicitor—(*read.*)—"I, George Daly, on my oath do now declare, before my master, Mr. W. J. Anson, to tell all I know concerning the robbery, at No. 106, Wood-street, Cheapside:—Mr. Bartram's, of Princes-street, Soho, in the name of Freer, three or four cuts of buckskin; Mr. Young's, of Princes-street, Soho, two or three of cloth, in the names of Davis, or Freer, four or five cuts buckskin, and one or two cloth; Mr. Stevens, of Wardour-street, Soho, in the names of Davis, or Freer, four or five cuts buckskin, and one or two of cloth; Mr. Harrison, of Wardour-street, Soho, in the names of Davis, or Freer, five or six cuts of buckskin, and three or four cloth; Mr. Clunes, of Brydges-street, Covent-garden, in the names of Davis, or Freer, three or four cuts of buckskin; Mr. Sayers, of Drury-lane, in the names of Davis, or Freer, three or four cuts of buckskin; Mr. Newby, of Drury-lane, in the names of Davis, or Freer, three or four cuts of buckskin; Mr. Walmsley, of Drury-lane, in the names of Davis, or Freer, one cut of buckskin; Mr. ———, of Drury-lane, in the names of Davis, or Freer, two or three cuts of buckskin and cloth; Mr. Aldous, of Berwick-street, Soho, in the names of Davis, or Freer, three or four cuts of buckskin, and one or two cloth; Mr. ———, of Green-street, Leicester-square, in the names of Davis, or Freer, three or four cuts of buckskin, and one or two cloth; Mr. Flemings, of Brewer-street, Golden-square, in the names of Davis, or Freer, one or two buckskin; Mr. Archbutt, of Westminster-bridge-road, in the names of Davis, or Freer, one cut of buckskin; Mr. Ashby, of Long-acre, in the names of Davis, or Freer, three or four cuts of buckskin; Mr. Burgess, of Long-acre, in the names of Davis, or Freer, one or two cuts of buckskin, and one cloth."—It was on the receipt of this paper I was led to discover my property—it was written prior to his being taken into custody.

MR. PAYNE. *Q.* When you first mentioned to the prisoner the robbery, which took place on the 13th of November, what did he say? *A.* He seemed very much excited about it, and said he hoped it would be found out, and so on—I did not ask whether he had any participation in it—I had no suspicion of him—I had suspicion in the morning after he came to me, for he came to me a few minutes after he had received the keys of the warehouse, and asked if I locked it over night—I said, "Yes"—he said, "Well, the warehouse-door is open, and half-a-pile of superfine blacks is gone"—I immediately went to the warehouse, and found it was quite dark, the shutters not being down, and I could not myself have discovered that the pile was so much reduced—I have not found any of the property lost that night—he has given no information of the property mentioned in the placard.

Q. Why have the man taken into custody after he had given you the account of the things, but given you no account of the robbery of the 13th of November? *A.* The reason is, I told him that what he had put on the paper was not what I meant; I wished him to confess about the robbery of the eleven ends of cloth—he said he knew nothing of it—I said, "Well, I am not bound by the promise I gave you," and I took him myself to the station-house—two yards and a half of buckskin would be worth 13*s.* or 14*s.*—the prisoner did not board with me.

GUILTY. Aged 19.—Transported for Twelve Years.

Before Mr. Baron Gurney.

481. WALTER BOOTH was indicted for embezzlement; to which he pleaded

GUILTY. Aged 22.—Transported for Fourteen Years.

Before Mr. Justice Erskine.

482. JOHN SAY was indicted for stealing, on 26th of December, 1 coat, value 28*s*., the goods of Josiah Pearson; and 1 handkerchief, value 2*s*., the goods of John Pearson.

JOSIAH PEARSON. I am an upholsterer, and live in my father's house, No. 20, Old-street-road, Shoreditch. On the 26th of December I missed a coat, which I had seen safe the evening before when I undressed myself, I took it off, and placed it on a chair—there was a silk handkerchief in the pocket—I missed it at ten o'clock next morning—I saw the coat the same morning on the prisoner's back, in Church-street, Shoreditch—I first saw him coming towards Shoreditch—he turned off, to go to a public-house—I was about fourteen doors from him, then only just across the road—I did not know him before—I saw another person, whom I was watching, run against him, and make a slight halt, and then the prisoner turned off to go into the public-house—I immediately stepped off the curb to follow him into the public-house—the person who made the halt then gave a whistle, on hearing which the prisoner immediately left the public-house—he had only just stepped in—he came out and walked fast to the corner of the first turning—I was immediately opposite him—he went from me—he walked eight or nine yards—I immediately followed him, and when he came to the corner of the street he began to run—he ran about three paces, when I caught him by the collar, and took him to the opposite corner of the street—he then turned round and looked me in the face, and I told him he had my coat on—he said he had not, for he had just bought it—I told him if he had bought it, to come with me to Shoreditch to a policeman, and we would see about it—he then scuffled and tried to get away, and caught hold of the post—I pulled him away—he then caught hold of the railing of a window—then two or three young persons came up, and one of them told the prisoner to *dowse* me; on which he tried to put his leg between mine, and throw me down, but did not succeed—during the scuffle there was a whistle, and immediately about twenty persons came to his assistance from a public-house and a coffee-shop close by—on seeing them I became alarmed, and tried to pull him into Mr. Golding's shop, one door of which was open and the other closed—we both fell into the shop together, and I, falling on the prisoner, made his nose bleed—I immediately got up with him under me, endeavouring to pull him into the shop, his legs being outside, and the persons outside pulled him by the legs, and pulled him outside, me and all—when we got outside he said he would go with me to the person he bought the coat of—I said he should not go any farther till I had the coat off his back—he tried to take it off, but one or two round him persuaded him not—I said I would go no farther till he took it off—he then took it off, and I took it from him—he then said he would go with me to the person he bought it of—on getting possession of the coat, I was in the act of putting it across my arm, when he ran away—a path was immediately cleared by those around him for him to effect his escape—I was immediately knocked down, that I should not run after him—while down

I felt somebody pulling at the coat—I got up and endeavoured to run after him again—I did not run far before I was tripped up—I got up again, and ran a little way—my hat was knocked off, and a silk handkerchief and gloves in it—I took up my hat and handkerchief, but not my gloves—I was completely hemmed in by a round ring, and could not get out—I darted at last through their legs—I was again tripped up, and by that time I lost sight of the prisoner—I ran in the direction he went, and saw him running up what, I believe, was Nichol-street—I ran after him, and heard footsteps behind me again—I turned round, and saw a young man in a smock-frock, and a person behind him told him to trip me up—I kept before him, and overtook the prisoner turning into a court—in the middle of the court a gentleman, coming in the opposite direction, caught him by the collar—I came up and told the gentleman to hold him fast—he said he would—that it was all right, he was a headborough—the prisoner said he was not the person that was wanted—I am sure he is the person I took the coat from—his nose was bleeding at the time—the headborough tried to get him into Shoreditch, but he laid down and would not come—one young man in the court told me I had got my coat, what did I want more—I told the headborough to hold him while I ran for a policeman—when I returned within a hundred yards of where I left him, I saw him running again, having got away from the headborough—I, the policeman, and others pursued him—he turned up a street, and was ultimately secured by the policeman—we had lost sight of him in the pursuit—I saw him next at the station-house in about half-an-hour—I am sure he is the person from whom I took the coat—the policeman has the coat.

Cross-examined by MR. DOANE. *Q.* In what room of your house was the coat? *A.* In the front shop, where I sleep—I did not notice it the next morning—I missed it at ten o'clock, when I was dressing myself to go out—it was the coat I usually wore when out, but not at home—I got up about a quarter to eight o'clock—I went to the shop door, and saw a person named Rush—it was ten o'clock when I went to the door—I heard the church bells going, and went to get my coat at half-past ten o'clock, and it was gone—I had been out of the shop two or three times—two boys assist me to mind the shop—I left them in charge of it when I went out—I had left the shop between a quarter to ten and ten o'clock—immediately on my return from cleaning my father's horse, I missed the coat on going to dress myself—it must have been taken that morning—I saw Rush at the door soon after eight o'clock—after missing the coat I went to make inquiry at the pawnbroker's, and saw Rush in Shoreditch in company—I suspected him, and followed him and his companion—after following them some time, I saw the prisoner for the first time that day—Rush is the person that halted and spoke to the prisoner—it was Rush who attempted to rescue the prisoner—Rush tripped me up, and he was taken and committed for trial, but the bill was thrown out—when I saw him near my door, I do not know that any other persons were near, as ours is a corner house—I did not go round the corner to see.

MICHAEL MAYO. I am a policeman. On the 26th, I was on duty in Shoreditch—the prosecutor came to me—I went with him, and saw the prisoner running down Old Nichol-street—w eran after him—I afterwards found he had run down a cellar, and got out into a back yard, where I secured him, as he was getting over the paling—I told him he was wanted

for felony—he said he had not stolen the coat—I asked him at the station-house how he got the coat—he said he had bought it for 12*s.* next door to Shoreditch church—I said I would soon find that out—then he said he bought it in Austin-street, and afterwards at the back of Shoreditch church, in Newcastle-street—I took possession of the coat—I found a silk handkerchief in the prisoner's bosom—he said that had nothing to do with the coat, it was his own property—I took possession of the handkerchief—when Pearson came in to make the charge against him, he said he bought the coat wrapped up in the handkerchief—I am not positive whether Pearson had said any thing about the handkerchief then—at another time he said he had bought the coat, and found the handkerchief in the pocket of it.

JOSIAH PEARSON *re-examined.* This is my coat, and the one I missed that morning—the handkerchief was my father, John Pearson's, and was in the pocket.

MR. DOANE *called*

ANN SAY. I am the prisoner's mother, and live in Prospect-place, Whitecross-street—my husband is a bricklayer. The prisoner was lodging with me on the 26th of December last—he went out about ten o'clock that morning—St. Luke's church clock struck ten as he went out and shut the door—I was in the back yard at the time—he was allowed to go out by my husband that day for a holiday, being boxing-day—he had been working regularly up to Christmas-day, and never left home—he had not been at work that morning—he had his breakfast, washed himself, and went out to go to his brother's—he got up about half-past nine o'clock, as near as I can guess—my husband was at work that morning—he went out a quarter before seven o'clock—the prisoner was in bed then—he got up about eight o'clock to breakfast, dressed himself, remained there till ten o'clock, and never went out till then—he was up stairs by the fire—I have five children besides the prisoner—the eldest is twenty-one years of age—he is married, and was at his own house—the next is a girl twenty years of age, at service—the prisoner is the eldest that lives with me—the next is a girl aged sixteen—she was at home that morning—I have three at home—the next is seven years, and the other four years of age—my son was dressed as he is now, when he went out; in his waistcoat sleeves—he works with his father, at Mr. Griffiths's, in London Wall, as a bricklayer—he is learning the trade with his father. NOT GUILTY.

First Jury, before Mr. Recorder.

483. JOHN LEWIS was indicted for stealing, on the 26th of December, 6 hammers, value 6*s.*, and 2 pairs of pincers, value 4*s.*, the goods of Samuel Goodwin; to which he pleaded

GUILTY.* Aged 40.—Transported for Seven Years.

484. AMOS HAMMOND and SUSAN HAMMOND were indicted for feloniously breaking and entering the dwelling-house of Charles Perry, on the 30th of December, at St. Mary, Islington, and stealing therein, 1 gown, value 3*s.*; 1 shawl, value 8*s.*; 1 shift, value 2*s.*; 2 aprons, value 8*d.*; 1 crown-piece, 5 half-crowns, 60 pence, and 96 halfpence, his property.

FRANCES PERRY. I am the wife of Charles Perry, and live in a yard leading out of Thornhill-street, Pentonville, in the parish of St. Mary, Islington—we rent it of our landlord, who lives in Thornhill-street—it is

distinct from his house—the yard belongs to our house—we occupy the premises alone, and sleep there. On Monday, the 30th of December, I went out about half-past seven o'clock in the morning, leaving nobody in the house—my husband left before—I shut the outer door, locked it, and left the key in the door outside—there is an inner door, which I left shut, but that has no fastening—I returned a little before eight o'clock, found the outer and inner doors open, and missed the property stated, which is worth about 30*s.*, besides the money—I have since seen a piece of cotton print, which is part of what was taken.

ELEANOR PUGH. I am the wife of Joseph Pugh, of Southampton-terrace, Islington. On the morning of the 30th of December I went to the prosecutor's house about twenty minutes to eight o'clock, and found both doors open—the male prisoner was standing inside the outer door—he said he wanted a light—I asked him where Mrs. Perry was, as I wanted some milk—he said, "She is down stairs"—I knocked with my foot for her to come up, and he said, "She is gone up the street with the milk"—she carries milk about—the male prisoner then got a light with a bit of paper, and went down the ladder into his own house—he went right through the house, which would lead him into Thornhill-street—he lives at No. 1, Thornhill-street—he went in there with a lighted paper in his hand.

WILLIAM STEWART. I live at No. 2, Thornhill-street. On the morning of the 30th of December, at a quarter before eight o'clock, I went to the back of Perry's premises, and called out "Milk"—I received no answer—I waited about five minutes, then went to the street-door, and was looking about for another milkman, and saw the female prisoner at the gate—she said Mrs. Perry was not at home—she was at Mr. Perry's gate, but not inside it—the gate was shut, but the little door which leads through the gate of the yard was open—it is a smaller gate, and a larger one—she was standing opposite the open part—there are two entrances to the house—this was at the back of the house.

Susan Hammond. I never looked towards you, nor spoke to you, but saw you in the door talking to a boy with a paper cap on. *Witness.* There was no little boy there.

FRANCES PERRY *re-examined.* I went out at the gate the witness speaks of—you go down a yard from the gate to the house—there is then a door, and then an inner door—I have no back-door to the house—Stewart must mean the prisoner went through his own house—he lodges up stairs, and has to go through a passage—his house has no connexion with ours—he does not go through our passage to his house, but through his own passage.

ELEANOR PUGH *re-examined.* The place is like a large shed with two rooms, an outer one, and an inner one, and the prisoner's back yard comes opposite the prosecutor's premises—it is like a large factory—if you go right through the prisoner's house the yard communicates with their place—the back door of the prisoners' place was open, and he went through his own house down some steps, and right through the back-door—it is a step ladder which takes up to their place—the steps lead from Mrs. Perry's door—he came out of the door he went in at.

JOHN VIVIAN. I was a publican. I saw the prisoners together on Monday, the 30th of December, between nine and ten o'clock in the morning—the female prisoner asked me if I would take 10*s.* worth of copper of her—they had half a quartern of rum, and went away—I saw no

more of them—I lived at No. 47, Farringdon-street, at that time—I do not know where Thornhill-street is—I gave them silver for the copper.

STEPHEN WHITAKER. I live with my father, who is a pawnbroker, in Long-lane, City. I have a piece of cotton-print which is the wrapper of a whittle, pawned on the 1st of January for 4*s.* by the female prisoner.

RICHARD BRADSHAW. I am a policeman. I went to No. 1, Thornhill-street, about eleven o'clock on Monday night, the 30th of December—the male prisoner opened the door—I said, "Is your name Hammond?"—he said, "Yes"—I said, "I want you for a robbery"—he said, "A robbery, where?"—I said, "Where you went for a light this morning"—he said, "I never went for a light any where, where is it?"—I said, "Over at the milk-shop"—he said, "I never was there for a light"—"Yes, yes," said he, "on Friday morning, but not before"—I found a box of Congreve matches on his shelf—I said, "Why go for a light when you have matches?"—the female followed him to the station-house, and he said to her, "When did you buy the matches?"—she said, "Saturday"—he said, "On Saturday, before I bought the matches, I got the light"—I have inquired, and believe the prisoners are not related to each other.

Susan Hammond. He said, "When did you buy the box?"—I said, "On Saturday," and I left them on the stove to dry, and they all caught light"—I never bought any lucifers until Monday night—I took them down and showed them to the landlord's daughter.

Amos Hammond. He told the Magistrate I bought them on Saturday night, and that I changed 6*d.* to see where the prosecutor's money was. *Witness.* He said he changed 6*d.* one morning, and then he saw where the money was—he came for a halfpennyworth of milk—he said at the house that he went on Friday for a light, but when he asked the woman when he bought the lucifers, she said, "Saturday," and he said, "That is right—I went for the light before that"—he was charged with going there on the Monday

FRANCES PERRY *re-examined.* The male prisoner changed a sixpence with me on the Thursday, I think, before the robbery, and I gave him change out of the box—he could see where my copper money was—I took it out so that he could see it.

Amos Hammond. I never changed a sixpence with her—I gave her husband two farthings for the milk. *Witness.* I am certain he did.

Susan Hammond. He never went but once for milk, because I was ill, and I said, "Go for a farthing's worth"—he said, "No, I will not"—I said, "Look on the shelf, under a tract, and you will find another farthing"—that was on Saturday—the cotton is my own—I tore it out of an old gown skirt. *Witness.* He came for a halfpenny worth of milk, and changed a sixpence—I am certain it was on Thursday—I know this piece of cotton, by a band I have pulled off it—it was an old apron—here is the band which matches it—I lost at least 9*s.* worth of coppers.

AMOS HAMMOND*—GUILTY. Aged 25.
SUSAN HAMMOND*—GUILTY. Aged 20.
} Transported for Ten Years.

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485. JOHN GILCHRIST was indicted for stealing, on the 6th of January, 4 half-crowns and 10 shillings, the monies of George Cains Coombs.

JOSEPH CROSS. I live in Turnmill-street, Clerkenwell. I was in the service of George Cains Coombs, of Cow-cross—on the 6th of January, between eleven and twelve o'clock in the morning, I was in his shop—the prisoner came in, in company with another boy—the prisoner asked Mrs.

Coombs for half-a-quartern of butter, and two pennyworth of bacon—she went to the end of the counter to get some paper to put the bacon in, and the prisoner, while she was gone, took up 1*l.* worth of silver off the counter, where it stood in a pile, and put it into his pocket—there were fourteen piles of 1*l.* each—he went towards the door—I went and told my master, who caught hold of him—his companion ran away—I saw my master take 8*s.* 6*d.* from him, five pence halfpenny, and a knife—he said he had the silver out of Long-lane—he had an opportunity of shifting the money to the other boy before he ran away, as he was close to him.

Cross-examined by MR. PAYNE. *Q.* Which pocket did he put the silver into? *A.* I cannot say exactly—I was standing close to him—he never went out of the shop—master came directly, took him, and searched his pocket—I knew the prisoner before by coming to the shop—I never had any dispute with him—he came to the shop sometimes every day—there was a bag covered over the money—he put his hand under the bag—the silver consisted of four half-crowns and ten shillings—I know that because I had seen mistress put it there—master and mistress were in the shop—the prisoner said he got the money in Long-lane, for a coat that misfitted him—he had come to the shop almost every day for about two months, but I never spoke to him—I had no quarrel with him about a dog—I did not take up a dog belonging to him—he did not ask what I did with it, and I did not say it was not his, and he say it was, nor did I tell him I would match him for it.

CHARLOTTE COOMBS. I am the wife of George Cains Coombs. I had fifteen piles of silver on the counter, and missed one, on Cross giving me information—I had put them there myself, and just counted them before the prisoner came in—I saw my husband search the prisoner, and take from him three half-crowns and one shilling, which he gave to the policeman—the prisoner said he got them at a shop in Long-lane—he had paid me a sixpence for the butter, which came to 3½*d.*—I had to give him change—while I was gone to get some paper to put the bacon in, he took it.

Cross-examined. *Q.* How long had the money been there? *A.* A minute before the prisoner came, I had just counted it, and was going to put it away—I have often seen him at the shop—Cross does not serve behind the counter, but minds the shop, and serves at the window.

GEORGE MADDOX. I am a policeman. I received the prisoner in charge, with the three half-crowns and one shilling, from the prosecutor—the prisoner said he got the silver in Long-lane, from a man, in exchange for a coat which misfitted—he did not tell me at what shop.

MR. PAYNE *called*

SOLOMON HYAM COHEN. I live at No. 82, Long-lane, West Smithfield. The prisoner has been in my shop two or three times—last Monday morning he was at my house—there was a young man with him—I had sold him a coat the previous morning, when two young men were with him, and on Monday morning he came back, and said, if I gave him 7*s.* for the coat, it was too long in the sleeve, I might have it, and I gave him two half-crowns and two shillings—it was a short frock-coat—his friends came to me on Monday afternoon, and asked me to sign a *specification* of the fact to the Magistrate, and I did write it on one of my printed cards.

COURT. *Q.* What was the colour of the coat? *A.* Brown—I have it at home now—I cannot say whether the lad or the young man brought it in

—he wanted me to exchange it for him—he had on, I think, the same dress as he has now—he tried the coat on when he bought it—he said then he thought the sleeves were rather too long, he should have them altered—Long-lane is about three minutes' walk from here—I did not think of bringing the coat here—his friends came and asked me to attend here to state this—a policeman could not fetch it, because I have a private mark on it, and I have so many—I may have a hundred coats in the house altogether—the frock coats are all together—it has black buttons—I think it is a dome gambroon button, similar to what is on my coat, I think—it has not a velvet collar—it has a silk facing down the front—it is a second-hand coat—we have them frequently—I could go with a policeman and find it—I could lay my hand on it in a moment—I think it is marked No. 20—he gave me 10*s.* for it, but he had worn it on the Sunday—I was very careless about buying it, because on the Sunday he offered me 9*s.* for it, and I would not take it—he came back in half-an-hour afterwards, and had it—two persons came with him to buy the coat—it was neither of those two that came with him on Monday—(*the witness was sent for the coat.*)

Joseph Cross *re-examined.* I was close behind the prisoner in the shop—the money was by the side of the scale on the counter—the prisoner stood by the side of the scale, and I was standing behind him—the pile he took stood three or four inches from the edge of the counter—I saw him distinctly take it, and put it into his pocket—his companion was standing at the door very near all the time—he went to the step of the door, and was close to his companion when he looked at the rashers in the window—I did not notice any thing pass when they stood together—I gave information directly he went to the door—the moment master caught hold of him the other ran off—my mistress had come back with the paper before I told my master—I whispered to him that that boy had put some money in his pocket—he seized him directly, and the other boy ran off—I think the other boy came into the shop—the prisoner was at the other end of the shop when he took the money—he could not hand it to his companion then, but he went down to the other end of the shop by the door, to look at some bacon, and then he was close to him—they were close together for about two minutes—I told directly he went to the door—there was time enough for him to get rid of the money—my master was at the window at the time, cutting bacon to put in the window—my master was close to the prisoner when I told him—I told him before he could run away, directly he got to the door, directly he was going towards the window I told my master—the other boy was taller than him.

Mrs. Coombs *re-examined.* I did not notice the second boy, not to know him again—I saw there was a second boy—it was the second boy I gave the change to—they were both in the shop till the prisoner was seized, and then the other ran away—the prisoner asked for the butter and bacon, but the other paid for it—the prisoner went to the window, and then Cross said he had taken the money—I said before that "*they*" had the change.

Solomon Hyam Cohen *re-examined.* I have brought the coat here now—(*produced*)—this is the card I sent to the Magistrate—(*looking at it*)—the prisoner brought the coat back between ten and half-past ten o'clock, I think—I wish to explain about my giving 7*s.* for the coat—there is a little hole in it which lessens the value of it—it was not there when I sold it to the prisoner.

GEORGE MADDOX *re-examined.* The coat is numbered, as the witness stated. NOT GUILTY.

NEW COURT.—*Thursday, January 9th,* 1840.

Sixth Jury, before Mr. Common Sergeant.

486. WILLIAM SELL was indicted for stealing, on the 30th of December, 1 half-crown, and 1 shilling, the monies of John Pettinger, his master; to which he pleaded

GUILTY. Aged 22.—Confined Six Months.

487. EDWARD BRYANT was indicted for stealing, on the 4th of January, 1 saucepan, value 2*s.*, the goods of John Prowse; to which he pleaded

GUILTY. Aged 19.—Confined Three Months.

488. JOHN WILLIAMS was indicted for stealing, on the 4th of January, 5 handkerchiefs, value 4*s.*, the goods of Thomas Rose and another. —2nd COUNT, stating them to be 4 yards of printed cotton; to which he pleaded

GUILTY. Aged 55.—Transported for Seven Years.

489. ROBERT ADAMS was indicted for stealing, on the 25th of December, 1 cash-box, value 1*s.*; 2 half-crowns, 1 shilling, 30 pence, and 40 halfpence, the property of William Brace.

WILLIAM BRACE. I am a baker, living in Farthing-street, Spitalfields. The prisoner was in my service some years ago—I have lost sight of him for three years—on Christmas-day, as I was going to my bake-house, I saw him going out of the bake-house door—he had no right there—I pursued and brought him back—a boy brought me this box, which was what we used to put money in, and which was empty then, but I had seen it about half-an-hour before, when it contained two half-crowns, one shilling, thirty pence, and forty halfpence—a policeman was called—the prisoner was searched, and no money found on him—it had been scattered about, and picked up by different people—I did not see the prisoner remove any money—the box was not locked—it was on a dresser in the kitchen—he would not know the box, but he could see it from where he was, and might think there was money in it.

WILLIAM SHEPPARD. I saw the prisoner run out of the bake-house with this box under his arm—I ran after him, and picked up the box under Bell-court—I do not know whether it had any money in it then—I saw some coppers by the side of it—I did not call to him—I do not know why he dropped it.

PATRICK COUGHLAN (*police-constable H* 100.) I took the prisoner, and he seemed stupid.

GUILTY.* Aged 33.—Confined One Year.

490. WILLIAM ROSKELL was indicted for stealing, on the 2nd of January, 1 cloak, value 10*s.* 6*d.*, the goods of Samuel James Nichols.

JOHN MARGESUM. I am assistant to Samuel James Nichols, linen-draper, Chiswell-street. On the evening of the 2nd of January, at half-past five o'clock, I was behind the counter, and observed a cloak go off the line in the shop—I jumped over the counter, ran out, and saw the prisoner outside tucking the cloak under his coat—I pursued him to Finsbury-square, and stopped him—he dropped the cloak—I took it up, still followed,

and took him—I lost sight of him for a moment, while he turned the corner of Wilson-street—when I turned, he was in custody—he had a leather cap and apron on when I first saw him, but he dropped the cap in running, and tried to get the apron off, but I am sure he is the person.

Prisoner. *Q.* Did you see me with the cloak? *A.* Yes, it was about half-past five o'clock, it was quite light enough to see you.

THOMAS THURLOW. On the evening in question I was passing through Finsbury-square—I saw the prisoner running fast, I ran and caught him—he said, "What do you want?" and the officer came up and took him.

JAMES JOHN EMES (*police-constable E* 164.) I took him—he had this apron on, he undid it and dropped it—a man took it up and gave it me.

Prisoner. You laid hold of both my hands. *Witness.* No, I saw you trying to do something to the string of your apron.

GUILTY. Aged 36.—Transported for Seven Years.

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491. WILLIAM WILLIAMS was indicted for stealing, on the 30th of December, 1 ham, value 6*s.*, the goods of Thomson Webb.

EDWARD PANNELL. I am shopman to Thomson Webb, of Tottenham-court-road. At a quarter-past nine o'clock, on the 30th of December, I was in the shop—a lady passed, and called out something—I went out, and missed a ham from the window—the lady pointed out the prisoner, and I ran after him—I found it under his coat—this is it—it is my master's.

Prisoner. I was in liquor. *Witness.* He made himself appear to be drunk, but I do not think he was.

THOMAS CROSSWELL (*police-constable E* 27.) The prisoner shammed drunk, but as I took him to the station-house he asked me to let him go.

GUILTY. Aged 38.—*Recommended to mercy by the Jury.*—Confined Two Months.

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492. SARAH SAUNDERS was indicted for stealing, on the 28th of December, 3¾lbs. weight of beef, value 1*s.* 6*d.*, the goods of William Rushworth.

WILLIAM RUSHWORTH. I am a butcher, and live in Brick-lane, Spital-fields. On Saturday night, the 28th of December, about half-past eleven o'clock, I was at my shop-door—the prisoner came to the stall-board and took this beef—she ran away, I ran after her—she fell down, I assisted in picking her up, and the beef fell from under her—I picked it up—this is it—(*looking at it*)—it is mine—her husband is a hard-working man, and I think this was done for drink—they were in distress.

GUILTY. Aged 28.—Confined One Month.

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493. GEORGE BROWN was indicted for feloniously receiving, of a certain evil-disposed person, on the 15th of November, 1 iron stock, value 13*s.*, the goods of John Spenceley Stevenson; well knowing the same to have been stolen; against the Statute, &c.

MR. BALLANTINE *conducted the Prosecution.*

JOHN SPENCELEY STEVENSON. I am in the employ of Mr. Stodhart, a piano-forte maker, and live in Frederick-street, Hampstead-road. On the 22nd of November I missed two stocks from my shop—this is one of them—to the best of my belief I saw this safe on the 15th of November—the prisoner had been in the habit of working in our shop twelve months ago—we had a boy named Andrew Johnson in our employ—he has left.

Cross-examined by MR. CLARKSON. *Q.* Was Johnson discharged? *A.* No, he left on the 10th or 11th of December—he works under his father.

WILLIAM GOFTON. I am a pawnbroker, and live in Gilbert-street, Golden-square. This iron stock was originally pawned on the 16th of November, on the 20th some parties came to look at it, and paid the interest, but who I cannot say—it was never taken out of the house—the prisoner pawned it at first.

THOMAS EVANS. I am a cabinet-maker, and live in Pugh-place. I produce a duplicate of a stock which I bought of the prisoner about six weeks ago for 3*s.*—he made no statement to me at the time.

MATTHEW UNDERWOOD (*police-constable E* 93.) I took the prisoner—he made no statement to me on the subject of a stock—he mentioned Andrew Johnson's name.

NOT GUILTY.

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494. GEORGE BROWN was *again* indicted for receiving, of a certain evil-disposed person, on the 12th of December, 1 plane, value 18*s.*, the goods of Edward Hawkes: 1 plane, value 17*s.*, the goods of Andrew Marshall: 2 planes, value 1*l.* 2*s.*, the goods of John Williams: and 1 saw, value 2*s.*, the goods of George Stevens: well knowing the same to have been stolen; against the Statute, &c.

JOHN WILLIAMS. I am a piano-forte maker, living in Sussex-street, Tottenham Court-road. On the 13th of December I went to Mr. Stodhart's shop, about half-past seven o'clock in the morning—I found my chest had been broken open, and I found two iron planes were missing—I am certain it was locked the night before—Andrew Johnson worked at the next bench to me.

Cross-examined by MR. CLARKSON. *Q.* The prisoner did not work there? *A.* No.

GEORGE TAYLOR. I am in the employ of Mr. Newth, a pawnbroker, in Duke-street, Manchester-square. On the 14th of December one plane was pawned, and two on the 18th, by a man named Lambert.

JOHN WILLIAMS *re-examined.* This iron plane, pawned on the 14th, is Mr. Hawkes's, and one of the two pawned on the 18th is mine.

ANDREW MARSHALL. I am a workman of Mr. Stodhart's, and live in York-square. On the 13th of December, when I went to the shop in the morning, I missed my iron plane, which I had seen the night before—this is it—it was pawned on the 18th with Williams's.

EDWARD HAWKES. I work for Mr. Stodhart. This plane is mine—I saw it on the afternoon of the 12th, and missed it on the 13th—it was pawned on the 14th.

GEORGE STEVENS. I work for Mr. Stodhart. On the morning of the 13th I went to the shop, and missed a small saw—this is it—I had seen it safe on the 12th.

JOHN LAMBERT. I am a chairmaker, living in Cox's-buildings, Belvidere-road—I work for a person named Ball. I know the prisoner, as apprentice to Mr. Ball—he worked in the same premises as I—I received an iron plane from Dalton, a shopman, on the 14th, which I believe to be this—on the 18th the prisoner came to me in the shop, and asked me to pledge two planes for him, which I did, at Mr. Newth's, for 8*s.*—these are them—when the prisoner came three other persons were in the shop—I gave the money to the prisoner with the ticket—I pawned them about tea time—I believe Dalton heard the prisoner ask me to pledge them—I gave

no money to Dalton—I had before received a plane from Dalton, and I pledged it on the 14th, for 5*s*., and gave the money to Dalton—no one was with him then.

RICHARD DALTON. I am a cabinet-maker, and work for Mr. Ball. I saw the prisoner on the 12th—he said he knew a person who attended shop sales, that had some planes to sell, and he would bring them to me in the morning—on the 13th he brought four iron planes—these are them—I asked him where he got them from—he said, from a person who was in the habit of attending sales, and he had purchased them for sale—I chose this one—he asked 12*s*. for it—I said I could not afford to give him more than 11*s*.—he said he did not think the person who owned the property could afford to sell it for 11*s*.—I told him to go and ask the person—I said it was not his place to sell the property unless he got further orders from the person, and on the evening of the 13th he carried the tools out of the shop—on the 14th he bought them again, I asked him whether he had seen the owner of the property—he said, yes, and the owner could afford to sell it for 11*s*., but not a farthing less—I bought this one for 11*s*. of him—I told him I should be obliged to pledge it on account of wanting the money, and in the evening Lambert was going to the pawnbroker's on an occasion for himself, and I asked him to pawn it for me, which he did, and gave me 5*s*. and the ticket—I gave the ticket to the officer—the plane I bought is worth about 17*s*. 6*d*., and the others from 10*s*. to 14*s*. each.

WILLIAM HANWELL. I am a cabinet-maker—I work for Mr. Ball. On the 12th of December the prisoner came to me, and said he knew a young man who had got some iron planes to sell, and he should be able to bring them to the shop the next morning—I asked him who the young man was—he said he was in the habit of attending sales and buying tools—when I went to the shop the next morning he said he had got the planes, and he showed me these four—I bought this one for 5*s*.—I believe they are sold new for 14*s*.—I should say this is the worse for wear.

MATTHEW UNDERWOOD (*police-constable E* 93.) On the 26th of December I took the prisoner—I asked if he knew Andrew Johnson (who was at that time in custody)—he said he knew him, but he had not seen him lately—I said, "I am an officer, and have come to take you into custody, I suppose you know what for?"—he made me no answer—I then said, "You must go with me to Marylebone office, and I don't wish you to say any thing to hurt yourself; what you say will most likely go in evidence against you"—he said he should say the same as he should before the Magistrate—I said, "I suppose you know that Andrew Johnson is locked up about some tools?"—he said, yes, his father had told him of it—he then said Johnson had given him the tools, that he was to make what he could of them, and he was to have part of the money—he did not mention what sort of tools to me, nor I to him—I found on him a duplicate for two planes—I then went back and searched his work-bench, and on it I found this saw, which has been identified—when I found the duplicate on the prisoner, I said, "This is in Lambert's name"—he said, yes, as Lambert was in the habit of going to Mr. Newth's, he thought he would get more on them than he could.

NOT GUILTY.

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495. ELIZA EDWARDS was indicted for stealing, on the 28th of December, 1 piece of handkerchiefs, value 1*l*. 8*s*., and 10 handkerchiefs, value 2*l*., the goods of John Crowther Drew; and that she had been before convicted of felony.

WILLIAM HARRIS. I am shopman to Mr. John Crowther Drew, of Burlington Arcade. On the 28th of December, at half-past eight o'clock in the evening, the prisoner came to the shop accompanied by a young man, who asked for some silk handkerchiefs—I showed them some—I had reason to suspect the young man from his coming to the shop before—he held up one of the handkerchiefs, and I observed him move some handkerchiefs towards the prisoner, and she put them under her clothes—my employer then came into the shop, and I requested him to call an officer—the prisoner and the young man were given in charge, but the man got away—I never lost sight of the prisoner—she tried to get away, but I prevented her, and she went back to the counter, dropped the handkerchiefs, and said, "There are the handkerchiefs"—I had not then said any thing about handkerchiefs.

Prisoner. *Q.* Did not two females come down the stairs and say, "Now you have got the thief," when you and your master were standing talking to me? *A.* They were my employer's wife and her mother—they came, hearing the cry of "Stop thief."

Prisoner. This witness came round and told his master, and then the young man ran out—the beadle met him and brought him back—if I had dropped these they must have seen me. *Witness.* I saw her take them—the young man was brought back, but he escaped in his way to the station-house.

THOMAS TYSON. I am an officer of the Arcade. I was called, and the man ran into my arms when he ran out of the shop, and the prosecutor was behind him—I took him back to the shop—the prosecutor shut the door and said, "I want you to take these two in charge"—I cast my eyes toward the prisoner, and under her cloak was the corner of a handkerchief—I pushed her on one side, and found these handkerchiefs, which I produce.

Prisoner. *Q.* Where was I standing? *A.* About a yard from the counter—I pushed you on one side, and there were these things.

WILLIAM SAWYER (*police-sergeant K* 24.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

Prisoner. I throw myself on the mercy of the Court for the sake of my husband and child—I am innocent—I have not the least fear of my employers taking me back, the moment it may please your Lordship to liberate me.

GUILTY. Aged 21.—Transported for Seven Years.

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496. JOHN BRADFORD was indicted for stealing, on the 23rd of December, 120 pence, 120 halfpence, and 48 farthings, the monies of Thomas Jones, his master.

THOMAS JONES. I am a grocer, and live in Tottenham Court-road. The prisoner was in my service—in consequence of some circumstances I marked several penny-pieces, and some farthings which were in packets, and placed the packets where they were before, on a shelf behind the counter—on the 23rd of December I missed some of them, as I had done before, but I let things remain as they were till the 28th of December, when I called the prisoner up stairs and told him I had an unpleasant business to perform, that I had been missing some coppers from the shop, and if he was an honest man he would have no objection to let me see what was in his box—he said, "Certainly not"—I said, "Open the box"—I believe it

was not locked—he did so, and pulled out several articles of wearing apparel—at last, as he took out one waistcoat, it knocked heavy against the side of the box—I took hold of it, and took out of the pocket of it 48 farthings, wrapped in this blue paper, which has my private mark on it—I had lost a great many such blue packets, containing 48 farthings, and two of the farthings in it have the private mark which I put on them—I can swear these two are part of mine—I asked the prisoner how they came there—he said he knew not—he knew nothing about them—I said, "I can swear to the paper and to two of the farthings inside"—he said he took the waistcoat down stairs a day or two before Christmas-day to ask the servant to mend it for him, and he supposed some one had put the farthings into his pocket—I said he knew the servant had no access to the coppers, and I did not see how she could do it—I then told him I missed some 5*s.* papers of coppers—he said he knew nothing about them—I said, "Be cautious what you say, I know more than you are are aware of—where are my halfpence?"—he said he knew nothing about them—I said, "I don't believe that, because several packets are gone"—he said, "There is only one gone"—I said, "Yes, I know more are gone"—he then said, "There were but two"—I said again, "Where are my halfpence?"—he said, "There were not three, for one was not full"—I said, "Where are they?"—he said, "I spent them on Christmas-day to buy things for use"—(I had before that spoken to a policeman, who was opposite in the road)—I said it was my duty to put him in charge—he said he would forfeit his wages if I would not put him in charge—I said I considered it my duty so to do, and by a signal the officer came in and took him.

Cross-examined by Mr. Roe. *Q.* Have you any other shopman? *A.* Yes, a shopman, a porter, and a boy—they all had access to my counter—the room I took the prisoner to was his sleeping-room, at the top of the house—they all slept in that room—I called him up from behind the counter, and walked up stairs with him—there is no lock on the bed-room door—he came into my employ on the 6th of December—he pulled out several things before he pulled out this velvet waistcoat—the box was nearly full—I do not believe he asked me to open the box—I will not swear that he did not—I do not believe there was a lock on it—there was no lock on it when the policeman came up—I found nothing else belonging to me—there was a pair of stockings and a collar belonging to the shopman, they were on the top of this small box, which was at the bottom of his box, and in this small box was a quantity of stationary—I had not been in that bed-room previously that day—I had before said to my shopmen that I thought all was not right, but they knew nothing of the particulars—I did not tell them that I had lost some farthings, or that I had lost any money—I did not allude to the halfpence at all—I did not tell him not to tell me a story about the half-pence—I told him to be cautious—I wanted to know the truth—I did not tell him it would be better to tell the truth—I told him to be cautious how he answered—I attend a place of worship, but I do not accustom my servants to go with me to church—they are at liberty to go where they please—I did not at first tell the prisoner that I had marked these farthings—I did not mark both these farthings alike—they were marked on the Friday or Saturday before Christmas day—the mark I put on the paper is a letter which I use as a private mark for one shilling, and the word farthing in short-hand under it—when I marked the farthings there were three or four packets of them—I called

the prisoner up stairs in order to discharge him, as that was the last day according to agreement, that he was to be in my service—a gentleman and lady called on me who represented themselves as his parents—the prisoner did not afterwards ask me to keep my word with him—I told him I would give him in charge all along—he did not ask me to say nothing more about it—he did not tell me not to go any further, not to expose him—not a word of that sort passed—I am sure of that—he begged of me not to put him in charge, or it would expose him.

JEFFERY MAHONEY (*police-constable E* 63.) I was called, and took the prisoner—I have the farthings—a servant girl came up stairs as the prisoner was going down, and he said to her, "Did you put any farthings into my pocket?" she said, "No."

Cross-examined. *Q.* Did you go up stairs and search the prisoner's box? *A.* Yes—there was a padlock to the box, but I do not think it could be locked—I searched the box—there were several things in it—I found a pair of stockings in it, and some stationary in this small box—I found 16*s.* 4*d.* in silver in the box, and 2½*d.* in coppers, scattered all over the box, and three shillings and a farthing on the prisoner at the station-house.

(The prisoner received a good character.)

GUILTY. Aged 21.—*Recommended to mercy by the Jury.*—Confined Six Months.

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497. WILLIAM HELLIWELL was indicted for stealing, on the 20th of December, 4 hammers, value 5*s.*; 3lbs. weight of tallow, value 1*s.* 6*d.*; 1 quart of oil, value 8*d.*; 1 axe, value 3*s.*; 5lbs. weight of candles, value 3*s.*; 20 boxes of matches, value 1*s.*; 7lbs. weight of emery, value 1*s*; 14lbs. weight of horse-hair, value 9*s.*; 8lbs. weight of flax, value 6*s.*; 1 pair of pincers, value 1*s.* 6*d.*; 2 files, value 2*s.*; 1 chisel, value 1*s.*; 2 brushes, value 4*s.*; 3 straps, value 7*s.*; 1lb. weight of glue, value 7*d.*; 1½lb. weight of chrome, value 1*s.*; 9lbs. weight of nails, value 5*s.*; 3 lamps, value 7*s.*; 31 hooks, value 1*s.*; 11 sheets of sand-paper, value 1*s.*; 3lbs. weight of iron, value 1*s.*; 4 yards of serge, value 6*s.*; 1lb. weight of twine, value 1*s.*; 2 brooms, value 4*s.*; 1 set of fire-irons, value 5*s.*; 2 brass rods, value 1*s.*; 1 lamp-burner, value 1*s.*; and 1 reflector, value 6*d.*:—also, on the 1st of January, 100 nails, value 3*d.*; the goods of the London and Birmingham Railway Company, his masters; to which he pleaded

GUILTY. Aged 37.—Transported for Seven Years.

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498. WILLIAM WRIGHT was indicted for stealing, on the 1st of January, 1 horse-cloth, value 5*s.*, the goods of Thomas Potts; and that he had been before convicted of felony.

CHARLES OLIVE. I live with Mr. Hutchins, a painter in Mortimer-street, Cavendish-square. On the 1st of January, about twelve o'clock, I saw Mr. Thomas Potts's cart coming up to deliver some oil, and the carter threw a horse-cloth on the horse—I saw the prisoner come and take it off—he put it under his coat, and went across the road—I told the carman, who went after the prisoner, and he was taken.

JOSEPH PEER. I am carman to Mr. Thomas Potts, of Queen-street. I put the cloth on the horse—I was informed of this, and overtook the prisoner in Mortimer-street, with the cloth under his arm—I gave him in charge—this cloth is my master's.

JOSEPH BOTTEN. I am an officer. I produce a certificate of the pri-

soner's conviction from Mr. Clark's office—(*read*)—the prisoner is the man who was convicted.

Prisoner's Defence. I was very much intoxicated.

JOSEPH PEER. He was not very drunk—he might have been drinking a little.

GUILTY. Aged 24.—Transported for Seven Years.

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499. JAMES HARDY and ANN CLAYTON were indicted for stealing, on the 30th of September, 1 spoon, value 2*s.*, the goods of Charles Sprake.

CHARLES SPRAKE. I keep the Duke of Clarence public-house in Munster-street, Regent's-park—I have lost several spoons—I know both the prisoners, by coming to my house—the man has attended my house daily for the last two years up to within the last three or four weeks—the silver spoon now produced is mine.

Cross-examined by MR. PHILLIPS. *Q.* How do you know it? *A.* By the initials, "W. M. G."—I formerly kept the Green Man and Still public-house—I purchased the plate there from William and Mary Goldsworthy, and for the last four or five months this spoon has been nearly in half.

JOHN WELLS (*police-constable E* 137.) About five o'clock in the morning, on the 10th of December, I went, with two other officers, to a house in Church-court—I watched outside, and I saw the male prisoner come to the window and throw something out—I went to the spot, and found this spoon, which I now produce—the other officers were just then breaking in at the door.

Cross-examined. *Q.* Are the other officers here? *A.* One of them is—he could not see this thrown out, as he was in the house—I cannot swear it was this spoon which was thrown out, but there was nothing else there—it was not day-light—there was nothing near the place but this spoon.

STEPHEN THORNTON. I went with Wells and Coleman to the prisoners' house, on the morning of the 10th of December, about five o'clock—we knocked at the door—they refused to let us in—we broke a panel, and then the male prisoner let us in.

HARDY—GUILTY. Aged 22.—Confined Three Months.

CLAYTON—NOT GUILTY.

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500. THOMAS PROCTOR was indicted for stealing, on the 28th of December, 22 half-crowns, 41 shillings, 4 sixpences, and 6 groats, the monies of Henry Barge Edwards.

HENRY BARGE EDWARDS. I live in Great James-street, Lisson-grove, and am a grocer. On the 28th of December, about two o'clock, I was packing up 5*l.* packages of silver—the prisoner came to the counter, and asked for something—I turned my head to speak to my young man, and missed one of my 5*l.* packages, containing the half-crowns, shillings, sixpences, and groats mentioned—I reached over the counter, and asked the prisoner what he had done with it—he said he knew nothing of it—I desired my young man to call a policeman, and then the prisoner said, if I would not tell his father, he would give it me, for his father would beat him—he produced the package from the sleeve of his jacket.

GUILTY. Aged 11.—Transported for Seven Years.—Isle of Wight.

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501. MARY BOWERS was indicted for stealing, on the 3rd of January, 1 pewter pot, value 1*s.*, the goods of William Courtney; and 1 pewter pot, value 1*s.*, the goods of George Mark Perren.

JOHN GORST. I am potman to Mr. William Courtney—he has lost a great many pots—this is one of his.

GEORGE MARK PERREN. I keep the Red Lion public-house in Whitechapel-road. I have lost a great many pots—this is one of mine.

GEORGE GREEN (*police-constable H* 139.) About one o'clock in the morning, on the 3rd of January, I was in Old Montague-street, Whitechapel—I saw the prisoner, with something under her arm—I found one of these pots on her, and one fell from her—she was not drunk.

Prisoner's Defence. I was rather intoxicated.

GUILTY. Aged 28.—Confined One Month.

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502. JOHN HAWES was indicted for stealing, on the 6th of January, 2 shoes, value 7*s.* 6*d.*, the goods of Samuel Foster.

ELIZABETH FOSTER. I live with my father, Samuel Foster, in Mile-end-road—he is a boot and shoe-maker. About half-past two o'clock on the 6th of January, the prisoner came for a pair of leather laces—I said I had not got any—he went away, and came back in about ten minutes, and I saw him going out of the shopwith the shoes in his hand—he was brought back in about ten minutes, but he had dropped the shoes, and they were brought back—I had seen them safe about nine o'clock in the morning.

JOHN LOVE. I heard a cry of "Stop thief," and saw the prisoner turning down White Horse-lane—I followed him—he ran into Lamb and Lion-passage—we went in there, and found him in a water-closet—we brought him back—he said a man said he would give him a shilling to go and take the shoes.

Prisoner's Defence. I had been to carry a parcel to the railway, and a man said he would give me a shilling to go and get these shoes, which he had paid for, and they would not let him have them.

GUILTY. Aged 16.—Confined Three Months.

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503. GEORGE BELL was indicted for stealing, on the 30th of December, 1 basket, value 4*d.*; 2 loaves of bread, value 2*d.*; and 39 biscuits, value 1*s.*; the goods of William Baldie.

JOHN BALDIE. I live with my father, William Baldie, a baker, in Frith-street, Soho. On the 30th of December I was in the yard, and saw a man in the shop, but as I knew my sister was in the parlour, I did not interfere—I then saw the prisoner walking out with a basket of biscuit and two loaves, which were my father's—I followed, and as I got outside I saw two young men with the prisoner—they covered the basket over with a dirty cloth, and the prisoner put it down—I took hold of him, and he said, "What do you lay hold of me for?"—I told him I knew what for, and I took him to the shop—I called my sister to take care of the biscuits—I am sure he is the person who took them out.

Prisoner's Defence. I was walking by, and he came and said I took the biscuits.

GUILTY.* Aged 17.—Transported for Seven Years.—Convict Ship.

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504. JAMES THOMPSON and JOHN JONES were indicted for stealing, on the 23rd of December, 1 purse, value 2*s.*; 7 sovereigns, 5 half-sovereigns, 8 shillings, 2 sixpences, and 1 30*l.* note; the property of John Wells, from the person of Jane Wells.

MR. CLARKSON *conducted the Prosecution.*

JANE WELLS. I am the wife of John Wells, a pawnbroker, in London, and live in Upper Phillimore-place, Kensington. On Monday, the 23rd of December, between two and three o'clock in the afternoon, I was with my husband in Piccadilly—I had received a cheque from him, and I had in exchange for it at the bankers a 30*l.* note, and I had 9*l.* 10*s.* in gold, and eight shillings and two sixpences in silver—the gold consisted of sovereigns and half-sovereigns—I placed the note with the gold in my purse in the front part of my pocket, which hung by my side—it forms a part of my under petticoat—there is a pocket-hole in the pocket, and also in my top petticoat, which is over the petticoat of which the pocket forms a part—I had the same gown on as I have now—it has a pocket-hole in it near the opening of my petticoat, but rather more forward—I had a large shawl on—it was a dirty day—I got into Hardwick's omnibus—I went with my husband from the bankers to Piccadilly—the omnibus overtook us—we required seats, and there was only one—I got in, and I was told my husband might be accommodated if he would walk on to Bond-street—when I got in the two prisoners were there—there was a vacancy between them, which I occupied—I rode on to Bond-street—two persons there got out, and my husband was taken up at the White Horse Cellar, and also a lad—my husband made an observation, and said, "Am I to sit here?" which was a place between the prisoner on my left hand and the door—the prisoner Jones said, "There is no other place"—Thompson was on my right, and Jones on my left—on my husband getting in, the conductor asked if any one wished to get out before we got to Kensington—no answer was given—the conductor got on the box, and the omnibus went on—between Hyde-park-corner and Knightsbridge I felt my pocket move—I looked at the prisoner on my right hand, putting my hand down towards my pocket—(as I came from the bankers I took my dress and my pocket, which had my purse in, in my hand, and when I got in the omnibus I took up the other side of my dress, but still having my gown and purse in my hand—I am quite positive I had my purse when I got in)—when I looked round stedfastly at Thompson, he was looking straight forwards—I thought from his appearance I might be mistaken, and that the jolting of the omnibus moved him against me—we went on to Sloane-street, and there Jones called to the conductor to get out, and at the same time Thompson got up, and went out—I thought that he had picked my pocket—I felt in my pocket, and my purse was gone—no one could have got at my pocket but the person on my right—I looked which way Thompson went—I said to my husband, "My pocket is picked"—he said, "Be sure"—I said, "I am robbed, my purse is gone"—we stopped the omnibus, jumped out instantly, and went in the direction I had seen Thompson go, which was towards the corner of Charles-street, which runs towards Belgrave-square—my husband followed immediately, and a policeman came up to me—I told him what had happened—he went the way I told him—he returned, and could see nobody—I was looking about there for a very short time—I walked towards London with my husband, and determined on going to the bankers—after walking some distance we crossed the road to make further inquiries, and I had scarcely set my foot on the pavement, before I saw Thompson getting into a *cab* opposite the Fox and Bull public-house—the horse's head was towards London—I said, "There is the man that robbed me," and we stopped the *cab*—my husband went to the *cab* door, and both the prisoners

were seated in the *cab*—my husband said, "You got out of the omnibus just now"—Thompson replied, "What if I did?" in a hesitating and confused voice—my husband said, "You have robbed my wife"—Jones opened the other *cab* door, ran out, and my husband after him, crying "Stop thief"—Thompson came out, and I followed him, crying "Stop thief"—he ran into Lowndes-square—I ran, and never lost sight of him till we got to the farther end of the square, and he was taken I think in not more than a minute—on seeing him I had no doubt of him—I saw Jones in custody of a policeman at the corner of Sloane-street, and I had no doubt of him.

Cross-examined by MR. PHILLIPS. *Q.* How many persons were in this omnibus? *A.* It was full when I got in—I did not count—there was one female in it—there might be more—I cannot say whether two men got out at Bond-street—there were two persons got out, because there was room for two afterwards—I cannot positively swear I saw them get out—they might be two men that got out—I got in exactly opposite Windham's, the coach-maker's in Piccadilly, and the people got out at Bond-street—I should not think we were five minutes going from there—it was after those people got out that I felt my pocket touched—I put my hand down to my pocket, but not into my pocket—I did not feel whether my purse was safe—I did not say any thing to Thompson—there were persons immediately opposite me in the omnibus—Thompson got out about Sloane-street, which is a quarter of a mile beyond Hyde Park-corner—Jones sat on the other side of me, not the side from whence I lost my purse—when first I got in, the window was open behind me—I shut it, and Jones put his hand and closed it—the horses went off rather suddenly, and that threw me over a little towards Jones—I had been walking with Mr. Wells from the banker's at the corner of the Haymarket to Piccadilly—I took my husband's right arm, holding my dress and pocket with my right hand—it was dirty, and raining fast—I took my gown up to avoid the dirt—I felt my pocket touched between Hyde Park-corner and Knightsbridge—a very short time elapsed between that and Thompson's getting out—I think not five minutes—it was not ten minutes—I had my pocket-handkerchief in my pocket with my purse, and a pair of spectacles, a pencil-case, a penknife, and some keys on a ring, but I put my purse in last, and at the front corner of my pocket—I did not put my hand into my pocket after I got in—my pocket was not cut, or any thing of that kind—Jones called to the conductor to stop, and the conductor said he had asked the question before whether any person would get out—I cannot say if it was the language of complaint that Jones used when he spoke—my husband was between him and the door, and, I think, another person, but I am not certain—Jones leaned out of the door of the omnibus, and called the conductor—there was a man and a little boy in front of me—I do not remember any female sitting in front of me—this was between one and two o'clock in the day—the only thing that attracted my attention to Jones was his shutting the window.

MR. CLARKSON. *Q.* You had your keys and handkerchief in your pocket? *A.* Yes—nothing was taken but my purse and money—it must have been done with considerable art and cunning.

JOHN WELLS. I am the husband of the last witness. I went with her to the omnibus in Piccadilly—she got in without me, and I got in at the White Horse Cellar—we rode on to Knightsbridge—the two prisoners

were in the omnibus, and my wife sat between them—when we came to Sloane-street, the omnibus stopped by Jones's direction—he got out, and Thompson followed him immediately—my wife made a communication to me—we quitted the omnibus—after some time I saw a *cab*, and the two prisoners in it, at the Fox and Bull public-house—I went up and said to them, "You are the men that were in the omnibus"—Thompson said, "What if I was"—Jones then ran out—I followed him to William-street, and over Sloane-street—he was stopped—I came up and took hold of him—I am certain he is the man.

Cross-examined by MR. PAYNE. *Q.* What are you? *A.* A pawnbroker—I went with my wife to Ransom's, the banker's, in Pall Mall East—we did not cross over—we turned round the corner, and walked up the Haymarket—my wife had hold of my right arm—I was nearest the road—we went on the left-hand side of Piccadilly—I still kept walking in the same way—my wife was not next the wall then—when I spoke to the prisoners I spoke loud, and said, "You have robbed my wife"—my wife did not speak to them—immediately I spoke, one of them ran away, and I after him, so what my wife said I do not know—I did not see the persons get out at the corner of Bond-street—it was a quarter of an hour, or rather better, from the time of our getting out of the omnibus till we saw the prisoners in the *cab*—I did not see them come out of the Fox and Bull public-house.

THOMAS PEEVER. I am clerk to a wine-merchant, in William-street, Knightsbridge. I was in my master's counting-house on the afternoon of the 23rd of December, and I heard a cry of "Stop thief"—I looked out and saw Jones running up the street, followed by Mr. Wells—I ran and took him—he had crossed Sloane-street, and got into Ann's-place—he had a Macintosh cloak hanging on his arm—I brought him back, and he was given in charge.

HENRY BRITTON. I am a shoemaker, and live in Phœnix-street, Knightsbridge. On the 23rd of December I was standing at Mr. Kingdon's door, and I saw Mr. and Mrs. Wells going to a *cab*, which was near—as soon as they did so the two prisoners came out of it—Mr. Wells pursued one, and Mrs. Wells the other—I joined, and Thompson dropped a piece of paper—I did not stop to pick it up—I went on in pursuit, and the prisoners separated after a little distance—I went in pursuit of Jones, and saw Peever stop him.

Cross-examined by MR. PHILLIPS. *Q.* You saw Thompson drop a piece of paper? *A.* Yes, I saw a labouring boy pick it up—he was about four rods from me.

COURT. *Q.* Have you been able to find out who that boy was? *A.* No—the case was adjourned for a fortnight to find him.

MR. CLARKSON. *Q.* Do you think you should know him again if he was produced as a witness? *A.* I dare say I should.

JOHN ALLEN. I am a baker, and live in Pound-street. I was in Lowndes-square on this afternoon, and met the prisoner Thompson running—just as he came to me he cried out, "Don't stop me"—as soon as he passed, Mrs. Wells came up—she was running after him in distress, and crying "Stop thief"—I assisted in pursuit, and stopped him at the bottom of Morton-street—he was brought back to Sloane-street, and given to the policeman.

WILLIAM WISDOM (*police-constable B* 108.) On the 23rd of Decem-

ber, Mrs. Wells told me she had been robbed, and in about twenty minutes after that I received charge of Jones in Lowndes-square—I found six sovereigns and twelve half-sovereigns in one of his waistcoat pockets, in his other waistcoat pocket, a silver watch, and in his trowsers' pocket two half-crowns, one shilling, two sixpences, a silver pencil-case, and three keys—while I was there, Thompson was brought up—I found two sovereigns in his trowsers' pocket, and some silver, and among it six half-crowns.

Cross-examined by MR. PHILLIPS. *Q.* How much did you find on Jones? *A.* 12*l.* 5*s.* ½*d.*

MRS. WELLS. I am certain I had as many as five half-sovereigns—I had not ten.

FRANCIS HEWITT. I keep the Adam and Eve public-house, at Kensington. On the 23rd of December, I got into Hardwick's omnibus, which stopped at the corner of Hungerford-street, Strand—Thompson got in—soon after he got in he came to the door and beckoned to the other prisoner, who was opposite, who got in—after that Mrs. Wells got in, and took her seat between them—when we came to Sloane-street the prisoners got out, and Mr. and Mrs. Wells followed.

Cross-examined by MR. PHILLIPS. *Q.* Were you in the omnibus yourself? *A.* Yes, I went from Ludgate-hill to Kensington, the whole way—I cannot say how often we stopped letting people in and out—they stopped most often between Hungerford-street and Piccadilly, or from there to Kensington—I should think it stopped about three times from the corner of Piccadilly to Kensington—the two prisoners and myself got out at Kensington—I do not recollect any more—I do not recollect two people getting out; yes, three got out at Hyde Park Corner—two of them had sat on my right hand, and one on my left—one was a young man about twenty-two years of age, full grown, and a gentleman above sixty years of age—none of them had to pass Mrs. Wells in going out—that I swear—Mrs. Wells was about four seats up the omnibus—the side holds six or seven persons—if any of the others sat above her, they must have passed her—nothing attracted my attention in the omnibus—it was broad day-light, and the jolting and jumbling of the omnibus knocks the people together when they are coming in and out.

MR. CLARKSON. *Q.* You did not feel any thing touch your pocket? *A.* No, one person got out, and Mrs. Wells got in—it was full when she got in—it stopped at Bond-street, and the White Horse Cellar, and Sloane-street.

JURY. *Q.* Which of the prisoners sat on the right-side of Mrs. Wells? *A.* Thompson.

JOHN HARDWICK. I am proprietor and conductor of this omnibus. I remember Thompson being in it on the 23rd of December—I am not so certain of the other prisoner—I remember their getting out at Knightsbridge—Mrs. Wells gto out after them, and complained of being robbed—the prisoners complained of my not being in my place—I made some paltry answer—I had asked before if any one got out before they got to Kensington, and I got no answer—I had no direction from either of them to let them out at Sloane-street.

Cross-examined by MR. PAYNE. *Q.* How many does your omnibus hold? *A.* Twelve—Jones sat on the right-side, and Thompson also—I did not notice at one time one of them sitting on one side and one on the other—I sat on the box from the White Horse Cellar—I asked a question and received no answer—my omnibus makes as much noise as the others.

THOMAS HAYNES. I am waiter at the Fox and Bull public-house,

at Knightsbridge. On the 23rd of December, between one and two o'clock, the two prisoners came—they were dressed as they are now—they had cloaks on their arms—they first came into the tap-room, and then went into the parlour—after that they had a pint of porter, some bread and cheese, a glass of gin, and a glass of ale—they remained about ten minutes—one of them went to the back-yard—there is a water-closet there—he was absent three or four minutes—the common sewer runs by the side of it—a person can get up the step and look at it.

Cross-examined by MR. PAYNE. *Q.* How long were they in your public-house? *A.* They might be about ten minutes or a quarter-of-an-hour—I did not see them all the time—they were in the parlour all the time, except when one went into the back yard.

THOMPSON—GUILTY. Aged 24.
JONES—GUILTY. Aged 28. } Transported for Ten Years.

Fifth Jury, before Mr. Sergeant Arabin.

505. THOMAS BOWLER was indicted for stealing, on the 23rd of December, 1 boot, value 1*s.* 3*d.*, the goods of Francis Monk; to which he pleaded

GUILTY.—Whipped and Discharged.

506. THOMAS BAINBRIDGE was indicted for stealing, on the 9th of January, 1 looking-glass and stand, value 5*l.*, the goods of John Burton and another; to which he pleaded

GUILTY.—Confined Six Months.

507. AMELIA PAYNE was indicted for stealing, on the 23rd of December, 1 handkerchief, value 3*s.*, 3 sovereigns, 2 half-sovereigns, 1 half-crown, and 1 5*l.* promissory-note, the property of Henry Cook, from his person.

HENRY COOK. I am a labourer, I live in Yorkshire. I came up to London to buy some onions, and met the prisoner on the 23rd of December, at one o'clock in the morning—she spoke to me first, and asked me to give her a drop of gin—we went to the Three Tuns, public-house, and I gave her a little—I afterwards went with her to a house in West-street, and we went up stairs—I gave her a shilling, and the woman of the house a shilling—I was only to stay a short time—I was on the bed with threa prisoner—I had a pocket-book in my waistcoat-pocket, containing three sovereigns, two half-sovereigns, a half-crown, and a 5*l.* promissory-note—I fell asleep till about seven o'clock—the prisoner was then gone, and another woman came up, awoke me, and said some other persons wanted the bed—I did not seem willing to go, and she pushed me down—when I got to the passage I put my hand to my pocket, and found my money was gone—I saw the prisoner in the lower room with two men—I was pushed out—I went and told the policeman—I lost a handkerchief, which was taken from my hat—the prisoner was taken that morning, and my handkerchief was found on her neck, under her shawl—I never gave it to her—my money and note was gone—I did not take my waistcoat off.

Prisoner. You say you met me in Smithfield, which is false—you did not, and you had been with another female before me, in the early part of the night—you made a remark to me, in Farringdon-street, that Smithfield was a fine place to lose your pocket-book in—you gave me the shilling, and then you gave me the handkerchief, and said you would make it

up to me next time you saw me—you said it was a 5*l.* note, and then a 10*l.* note, and now you differ again in your story. *Witness.* No, I did not—I met her in Smithfield—I had not been with another female—I did not say that Smithfield was a fine place to lose my pocket-book—I did not give her the handkerchief.

JOHN CALE (*City police-constable, No.* 236.) The prosecutor stated to me that he had been robbed—I went in search of the prisoner—I found her at No. 2, West-street, Smithfield—she had on a shawl, and the handkerchief taken from the prosecutor was taken off her neck at the watch-house—the end of the handkerchief was visible under the shawl she had over it—I took her in the same house where the prosecutor had been—she was with another woman and two men.

Prisoner's Defence. He was very drunk at the time—I am innocent.

GUILTY. Aged 24.—Transported for Ten Years.

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508. JAMES COFFEE was indicted for stealing, on the 3rd of January, 1 dead goose, value 6*s.*, the goods of Ann Cook; and that he had been before convicted of felony.

ARTHUR COOK. I am the son of Ann Cook, a widow, who carries on the poultry business, in Princes-street, Westminster. I superintend the business—I know the goose and could swear to it—it was safe when I went out in the morning, on the 3rd of January.

RICHARD EDWARDS. I saw a boy take a goose from Mrs. Cook's shop, and give it to the prisoner, who put it under his apron, and ran away—I pursued and took him—I showed the same goose to Arthur Cook, and he owned it—I had seen the prisoner about, a little while before the goose was taken.

JAMES CLOUGH. I am a policeman. I received the prisoner into custody.

JOHN BROWN (*police-constable F* 142.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—he is the same person.

GUILTY. Aged 14.—Transported for Seven Years.—Convict Ship.

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509. CHARLES GRAY was indicted for stealing, on the 2nd of January, 1 tame duck, price 2*s.*, the property of Henry Bigg.

LAWRENCE STACK. I am a policeman. I was on duty in the Edgeware-road, near the Paddington canal, on the 2nd of January, about half-past eleven o'clock, and saw the prisoner—he had another man with him—I desired them to go away, which they did, and returned again—the prisoner had something in a bundle—I asked him what was in it—he said there was nothing that was any harm—I found this live duck in it—I made inquiry, and found the prosecutor—the prisoner was about two miles from the prosecutor's house when I took him.

JAMES SMITH. I am a labourer in the employ of Mr. Henry Bigg, who lives at West End—one of his ducks was missing on the 2nd of January—this is it—I have known the ducks, and fed them, for the last seven months.

Prisoner. *Q.* What can you tell it by? *A.* By the marks on it—here is a mark under the throat, and one on the back of the neck.

Prisoner's Defence. There is more than one duck alike—it was given

me by a man who worked on the Birmingham railway—I lent him half-a-crown when I worked there.

GUILTY. Aged 23.—Confined One Month.

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510. WILLIAM NASH and JAMES HARRISON were indicted for stealing, on the 23rd of December, 1 copper, value 5*s.* 10*d.*, the goods of William Jowell.

WILLIAM JOWELL. I live at Isleworth, and am a market-gardener. I had this copper outside my shed—I missed it on Christmas-day—I had seen it safe a day or two before—I do not know exactly when it was taken—I know the prisoners used to come backwards and forwards to work—I believe one of them is a painter—this is my copper—(*looking at it.*)

Nash. *Q.* Can you swear to it? *A.* Yes, because my wife told my son to clean it, and he cut the bottom of it with a spade.

WILLIAM MILLS. I am a dealer in marine stores, and live at Hounslow. I bought this copper of the prisoner Nash—a lad came with him, but I do not think it was Harrison—I think he was less than him—I know both the prisoners.

SAMUEL BARBER. I am a parish constable. On the 28th of December I received information of this, and found Harrison—I asked what he knew about the copper—he said Nash stole the copper—I asked him how he knew that—he said he was with him at the time, and he sold it at Mills's, at Hounslow, for 5*s.* 10*d.*—I asked how he knew that—he said he was outside at the time—I went and took Nash—I told him what for—he made me no answer.

NASH*—GUILTY. Aged 24.—Transported for Seven Years.

HARRISON—GUILTY. Aged 16.—Confined Six Months.

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511. WILLIAM BUSTIN was indicted for stealing, on the 21st of December, 1 shirt, value 3*s.*; and 1 neckerchief, value 3*d.*; the goods of the guardians of the Brentford Union.—2nd COUNT, stating them to be the goods of James Rutland Brown; and that he had been before convicted of felony.

JAMES RUTLAND BROWN. I am governor of the Brentford Union workhouse—the property there is under my care, and I am responsible for it. The prisoner was an inmate of the workhouse for ten weeks, up to the 21st of December—the inmates are required to give three hours' notice of leaving—he gave me notice at nine o'clock on the 21st—I went out, to attend the Magistrates, and when I returned he was gone—on the 22nd the officer told me he had got the prisoner in custody—he found this shirt and handkerchief, which the prisoner had had on—they are the property of the guardians, and were in my care.

JOHN SHEARMAN. I am a sawyer. I bought this shirt of the prisoner at a public-house at Hanwell—he asked 1*s.* for it—I said I had but 1*s.*, and I had bought a pint of beer out of it—I gave him 10*d.* for it—

JOHN BESFOR. I bought this handkerchief of the prisoner.

GUILTY. Aged 23.—Transported for Seven Years.

JAMES HOWDEN. I produce a certificate of the prisoner's former conviction, which I got at Clerkenwell Sessions-house—(*read*)—the prisoner is the person.

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512. WILLIAM THOMPSON was indicted for stealing, on the 7th of January, 1 cloak, value 30*s.*, the goods of William Goodburn.

RICHARD ISAAC CALVERT. I live with Mr. William Goodburn, a pawnbroker, at Islington. On the 7th of January, between four and five o'clock in the evening, I was standing behind the counter, and heard a rustle of silk at the door—I looked, and saw the prisoner with this cloak, rolling it up, and making off with it—I went out—a lady told me he had dropped it—the prisoner walked away—I ran and took him, and gave him in charge—this is the cloak—(*looking at it.*)

Prisoner. Q. Did you see me take it? A. No; I saw you with it in your hand—you were then at the door-post—you were four doors off when I took you—you dropped the cloak before you got half-way past the window.

JAMES DEAR. I am a policeman. I took the prisoner.

Prisoner's Defence. I never took it nor saw it.

GUILTY. Aged 30.—Confined One Month.

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513. ROBERT RAVENS was indicted for stealing, on the 26th of December, 1 pair of trowsers, value 8*s.*, the goods of James Earl; and that he had been before convicted of felony.

JAMES EARL. I live in Goswell-street. On the 26th of December I was behind the counter in my shop, and heard a noise outside—I ran out, and saw the prisoner on the opposite side of the road—I ran after him up Noble-street—I took him—he threw these trowsers under a cart—they are mine—they have my shop-mark on them—I had seen him carrying them.

Prisoner. Q. You did not see me with them? A. Yes, I saw you carrying them on the opposite side of the road.

Prisoner's Defence. I am innocent—the prosecutor stated twice that he did not see them on me, and at the last hearing he said he saw them on me.

JOSEPH WOLGEMUTH. I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 20.—Transported for Seven Years.

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514. JAMES LONG was indicted for stealing, on the 6th of January, 3 shillings, 1 sixpence, and 1 halfpenny, the monies of Thomas Williams, his master.

THOMAS WILLIAMS. I am a carpenter—the prisoner was my labourer, off and on, for the last three weeks. On the 6th of January, about three o'clock, I gave him three shillings to get three half-inch boards, at Mr. Leonard's, in Store-street, Tottenham Court-road—he returned for 6½*d.* more, which I gave him—he went away and did not come back—at eight o'clock, when I left work, I went to a public-house in Turnmill-street, and found him in the tap-room intoxicated—he hung down his head, and while I went to tell the officer he tried to escape, but we took him—the person he was to buy the boards of is not here—the prisoner said he had lost 2*s.* and spent 1*s.* 6*d.*

NOT GUILTY.

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515. JAMES PHILLIPS was indicted for stealing, on the 8th of January, 1lb. weight of cheese, value 9*d.*, the goods of James Richardson.

GEORGE MAULE. I was going up High-street, Islington, last night, and saw two boys near the prosecutor's shop—I went on the other side of the shop and watched them—I saw the prisoner take a piece of cheese from the shop—I ran and caught him, and took him to the shop—he flung the cheese down.

WILLIAM PEACOCK. I am in the service of James Richardson, a cheesemonger, in High-street, Islington. The window was open, and we had pieces of cheese there—this piece is my master's.

Prisoner's Defence. Another boy took it, and *chucked* it on the ground for me to take.

GUILTY. Aged 11.—*Recommended to mercy.*—Confined Five Days.

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516. GEORGE CLARKE was indicted for stealing, on the 7th of January, 1 coat, value 2*l.*; 1 shawl, value 5*s.*; and 1 handkerchief, value 2*s.*, the goods of Job Herringham.

JOB HERRINGHAM. I am a parchment-maker. On the 7th of January, I went to the George Inn, Snow-hill, about three o'clock in the morning—I hung my coat up in the coffee-room, and after taking refreshment I went to bed—the prisoner was in the room when I left it—I got up about ten o'clock in the morning—the prisoner was then gone—I missed my coat—I made inquiries, and went with the officer last night to a lodging in Angel-court, Strand, and found my coat—I had seen the prisoner before—he occasionally used the house—this is my coat—(*looking at it*)—the shawl and handkerchief were in the pocket.

WILLIAM WACKNELL. I am watchman of the George Yard. I saw the prisoner walk out of the yard with the coat on his arm, on the morning of the 7th of January—I did not know whether it was his or not.

JURY. *Q.* Are you sure it was that coat? *A.* It was a dark coat like this.

WILLIAM ARMSTRONG (*City police-constable, No.* 98.) I searched the lodgings that the prisoner directed me to, and found this coat there.

GUILTY. Aged 33.—Confined Three Months.

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517. ALEXANDER STADNICKE was indicted for stealing, on the 31st of December, 1 composing-stick, value 6*s.*, the goods of William John Carlisle.

WILLIAM JOHN CARLISLE. I am a compositor, and work at the office of the "Mercantile Gazette," in Crown-court—the prisoner worked in the same office for several months. I lost this composing stick on the 31st of December—I put it in my frame after the day's work—I went to the other end of the room, and when I returned I missed the stick, and the prisoner was gone also, who had been there when I went away—this is my stick—I found it at the pawnbroker's—it is worth 6*s.* 6*d.*—I know it by three stars on the back of it, and a notch with a file, and my measuring rule was to the same measure.

Prisoner. I thought after so long an acquaintance he would not do this—I took the stick as I had been out of work, to procure something to eat, and to pay my lodging. *Witness.* There were twenty-four of us working on the paper, and we subscribed sixpence a week each for him, as he was out of work.

DENNIS BERNARD. I am a pawnbroker. The stick was pawned with me by the prisoner.

GUILTY. Aged 25.—Confined Six Months.

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518. THOMAS CAVANAH was indicted for stealing, on the 8th of January, 1 handkerchief, value 2*s.*, the goods of Henry Parsons Edgell, from his person.

HENRY PARSONS EDGELL. I live in Bouverie-street. I was in Fleet-street last night, about twenty minutes before twelve o'clock—I felt a tug

at my pocket—I turned, and the prisoner was near me—I had lost my handkerchief, and I have not seen it since—I challenged the prisoner with it—there was another person four or five yards from him—the prisoner ran and I pursued him—I think it likely he threw the handkerchief to the other person.

SAMUEL SYKES (*City police-constable, No.* 122.) I heard a cry of "Stop thief," and saw the prisoner coming in front of the prosecutor—I took him to the station-house. NOT GUILTY.

519. HENRY PHILLIPS was indicted for stealing, on the 8th of January, 5 printed books, value 10*s.*, the goods of Thomas Frego.

WILLIAM LEVINGS. I live with Mr. Thomas Frego, in Charlotte-street, he is a bookseller, and has a stall outside his shop—I saw the prisoner take three books from the stall yesterday—he put them under his jacket and ran away—I ran after him and called "Stop thief"—he threw the books away, and a man stopped him—I had not lost sight of him.

GEORGE MOODY. I saw the prisoner running and stopped him—I did not see the books in his possession, but I saw them in the road, and the witness was calling "Stop thief."

GUILTY. Aged 18.—Confined Three Months.

OLD COURT.—*Friday, January* 10*th*, 1840.

Third Jury, before Mr. Sergeant Arabin.

520. CHARLES WESTWOOD was indicted for feloniously receiving of a certain evil-disposed person, on the 1st of January, 1 bridle, value 2*l.*, the goods of John Baker; well knowing it to have been stolen; against the Statute, &c.

JOHN STIMSON. I am clerk to an attorney in Welbeck-street, Cavendish-square, and am nearly sixteen years old. On the 1st of January, about nine o'clock, I was in Oxford-street, and saw the prisoner standing at the corner of Queen-street, and another one coming up Queen-street with a bundle under his arm—the prisoner said to him, "Go on, you b—fool"—I suspected and watched them—the other one crossed over to the other side of the way till he got to Regent-street—the prisoner followed—they joined each other, and the other one gave the bundle to the prisoner, and walked away—the prisoner crossed over and went to the corner of Woodstock-street—I ran to the police-station and gave information to a policeman, who took him.

JOHN ROCHE. I am a policeman. Stimson came and told me something—I went into Oxford-street and saw the prisoner walking along the coach rank—I went and laid hold of him—he had a bundle under his arm—I asked what he had—he said, "I don't know"—I asked where he got it—he said, "I picked it up in the street"—I took him to the station-house, opened the bundle, and found this bridle in it—he then stated he picked it up in Marlborough-street—he was remanded to make inquiry, and the owner was found.

WILLIAM WEBB. I am ostler to Mr. Osborne, in King's Mews, King's-road, Gray's-inn-lane. Mr. John Baker has horses standing there—I know this bridle to be his.

GUILTY.† Aged 20.—Transported for Seven Years.

521. GEORGE GREEN was indicted for stealing, on the 31st of December, 1 coat, value 20*s*., the goods of Peter Brandon.

ELIZABETH JANE JAGO. I live with Mr. Peter Brandon, a surgeon, in Tavistock-square. On the evening of the 31st of December, the prisoner came to the house, and said he came for a lady's bonnet from Mrs. Allen, of Regent-street—I told him no such article had been ordered—he desired me to inquire, and having received orders not to leave the street-door, I called another servant and she went to inquire—he asked me after she was gone to go up stairs too, but I would not quit the door—he then snatched the coat off the hall-stand and ran off—I pursued him directly, and never lost sight of him—I gave him into custody—this is the coat—(*looking at it*)—it is my master's.

JOHN BROCKBANK. I saw the prisoner come out of the prosecutor's house with a coat, and run off with it—I pursued, and saw him taken into custody—he threw the coat on some railings as he ran.

Prisoner's Defence. I was intoxicated, and was leaning against the wall when the policeman came and took me—I staggered against him, which I should not have done if I had committed the robbery—the coat was not found on me.

ELIZABETH JANE JAGO *re-examined.* He threw the coat down, and ran on to the bottom of the square before he was stopped—he had only got five or six doors off—the policeman was on the spot within two minutes—he could run fast enough—he was not in the least drunk—Brockbank pursued him as well as me, and seized him immediately—he took the coat as I was at the door—I had the candle in one hand, and the handle of the door in the other.

GUILTY. Aged 18.—Transported for Seven Years.

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522. EMMA GODDIN and MARY BIRD, *alias Giles*, were indicted for stealing, on the 16th of December, 2 pairs of trowsers, value 6*s*., the goods of Nicholas Crowder.

JAMES HANNAN. I am shopman to Mrs. Cordwell, a pawnbroker in Turnmill-street, Clerkenwell. I have a pair of trowsers, pawned on the 16th of December by the prisoner Bird—I asked whether they were her own property—she said they were.

JACOB TURNER. I live with Mr. Rosier, a pawnbroker in Turnmill-street, Clerkenwell. I have a pair of trowsers, which were offered in pledge by the prisoner Goddin, about seven o'clock on Monday evening, the 16th of December—I am sure she is the person—we had received notice only a few minutes before of their being stolen—we detained them, and gave her into custody.

ELIZABETH ANN CROWDER. I am the wife of Nicholas Crowder, and keep a clothes-shop in Great Saffron-hill—these trowsers are ours—they are marked—I missed them on Monday evening, between four and six o'clock—I had seen them not ten minutes before they were gone, on a shelf in the shop, facing the counter—we are never absent from the parlour, which joins the shop—they must have watched their opportunity—I do not know the prisoners.

NOAH STONE. I am a policeman. On the 16th Goddin was given into my charge—I took her to the station-house—she said she knew nothing of the robbery, that the trowsers were given to her by Bird, who asked her to go and pawn them for her, and she took them to Mr. Rosier's.

SAMUEL PARKER. I am a policeman. From information I received I apprehended Bird on the 24th of December—she said she knew what I wanted her for, it was for the trowsers, but she did not steal them, it was two boys stole them; one pair she pledged at Mrs. Cordwell's, in Turnmill-street, and the other pair she gave Goddin to pledge for her.

Goddin's Defence. I was at the Turk's-head public-house, in the street where I have lived seventeen years; this young woman asked if I would go on an errand; I said, "What with?" she said, "A pair of trowsers;" I took them to Mr. Rosier's, and asked 2*s.* on them: he detained them; I came and told this young woman, and she went away directly.

Bird's Defence. A young man asked me to go on an errand for him; I took the trowsers, pledged them, and gave him the money and duplicate; the young man was at Hatton-garden, and acquitted last Monday.

SAMUEL PARKER *re-examined.* A boy was taken into custody and discharged, there being no evidence against him.

GODDIN—NOT GUILTY.

BIRD—GUILTY. Aged 20.—Confined Three Months.

Before Mr. Baron Gurney.

523. CAROLINE MAUNDER was indicted for stealing, on the 24th of October, at St. Catherine Cree Church, *alias* Christchurch, 1 cloak, value 2*l.*; 5 gowns, value 2*l.*; 12 pairs of stockings, value 6*s.*; 1 boa, value 7*s.*; 2 bonnets, value 15*s.*; 3 shawls, value 30*s.*; 3 shifts, value 9*s.*; 1 pair of clasps, value 20*s.*; 8 sovereigns, 1 half-sovereign; 12 half-crowns, 20 shillings, and six sixpences; the property of Mary Hart, in her dwelling-house.

MARY HART. I am single, and live in Brewer's-gardens, Leadenhall-street, in the parish of St. Catherine Cree—I keep the house—the prisoner occupied a room in my house for fourteen weeks. On the 24th of October, between four and five o'clock in the morning, as I was in bed, I was alarmed by a neighbour—I came down, and found the street-door wide open—the prisoner used to lock it for me at night—I went up to her room and she was not there, and she had not been in bed at all, for it was made then—when I came down again I found the first-floor room-door open—I had left that room locked the night before with a padlock—I found the padlock in the catch, and the door wide open—it was unlocked, and the key was in the padlock—I had put the key in my pocket, which I had put under my pillow—it had been taken from there—I missed all the property stated—the money had been in my pocket under my pillow, and the wearing apparel in the room, which was padlocked—I saw the prisoner next down at Lynn, in custody—I went before the Mayor there—I saw a great deal of my property there—they discharged her at Lynn—they would not allow me to go into the case there—I had not a farthing to bring her to London—I begged the Magistrate to give me my property back, and I would not wish to hurt her more than they thought proper—I did not get my property, they gave it up to her, but Wood, the superintendent, had a cloak, a bonnet, and a shawl, and those he sent to me a fortnight ago—she was taken up after I got to Lynn—I caused her to be taken up—I found in her possession four dresses, three shawls, several pairs of silk stockings, and two or three shifts, but I cannot say how many, because they would not allow me to look into the bundle much—I charged her with stealing them—she owned they were all my property

there—the Mayor said it was very wrong for me to go into such a case as that, unless we could have her brought up to be tried in London—I saw her next in London—my boy saw her in Fleet-street last Friday, and caused her to be taken up.

TIMOTHY WALSH. I am a City policeman. On the 3rd of January Mrs. Hart's son came to me, and I took the prisoner in Fleet-street—I took her to the station-house, but found nothing on her.

JOHN WOOD. From information I received on the 25th of October that a robbery had been committed in London, I apprehended the prisoner at Lynn on the 26th—Mrs. Hart was not there for nine or ten days after—I found on the prisoner a silk cloak, a black silk gown, and a silk bonnet—the other property I did not find—she was in custody some days, and then discharged by the Mayor—I do not know why—I have the cloak, bonnet, and shawl here.

MRS. HART *re-examined.* These are my daughter's property—she is nineteen years old, and is married, but I bought this property—she lived with me then—the bonnet and shawl are mine.

Prisoner's Defence. Mrs. Hart was the first instigation of my ruin—she induced me to go to her house—I was never seduced till I was seduced in her house—she decoyed me away from home, and told me I should have a good place, but I found out what it was—I was seduced in her house, and ran away—I have always been in service till now, and have a six years' character at Edmonton.

MRS. HART *re-examined.* I let out rooms furnished.

Prisoner. It is a common brothel. *Witness.* I deny it—I had other lodgers—there is a young woman in Court now who had a room in my house at the time—what she says about me is false—I never would have decoyed any girl from home—she came to me in a state, which, if she was a virtuous girl, she could not be.

GUILTY. Aged 19.—Confined Six Months.

Before Mr. Justice Coleridge.

524. JOHN SMITH was indicted for stealing, on the 9th of November, 5¾ yards of velvet, value 7*l.*, the goods of John Wild Gabriel.

MR. PHILLIPS *conducted the Prosecution.*

JOHN WILD GABRIEL. I am a woollen-draper and man's mercer, and live at No. 135, Regent-street. I know this velvet—(*looking at it*)—I cut it myself in my shop on the 4th or 5th of November—I believe it was the 5th—a few days after, I had another order for some of the same, and looked for it, but could not find it—in consequence of information on the 10th of December, I went to Mr. Gray's, the pawnbroker's, in Fleet-street, and saw this velvet there—I had sent round to inform the pawnbrokers of the loss—I saw the prisoner at the station-house on the 10th of December—(*I had seen the velvet a fortnight previous*)—I did not promise or threaten him in any way—I charged him with having pawned my velvet—he denied having seen the velvet at any time, or having pawned it at all—I am quite sure of that—I asked him who he was—he told me he was an agent for persons in embarrassed circumstances—shortly after that, he told me he was a tailor—that was in consequence of a question I put to him about some black velvet which he had tried to pawn the same day—that black velvet was cut in a peculiar way, what tailors call on *the bias*, and he used that phrase, which made me say, "What, are you a tailor?" and he said,

"Yes"—I asked his name—he said it was John Smith—I left him at the station-house—this velvet is worth 25*s.* a yard—I ordered it myself to be made for me at Lyons.

Cross-examined by MR. DOANE. *Q.* How much of it did you have from Lyons? *A.* Only fourteen yards and three-quarters of this pattern—I have a memorandum of the quantity I sold—I received the fourteen yards on the 10th of September—I have sold some of it—I cut it last on the 5th of November, and missed it a few days after—we missed it about the 19th of November—I had not seen it after the 5th—when I cut it on the 5th there were ten yards and seven-eighths, but three yards were cut off immediately afterwards by another person—there is now five yards and three-quarters—the people at Lyons are extensive manufacturers, they are agents, and export a good many fancy velvets—I have six persons in my employment—I swear this velvet corresponds in every respect with mine—I have part of it left in my own stock with the selvege on it—I saw the black velvet—it was with respect to that that the word "bias" was used by the prisoner.

MR. PHILLIPS. *Q.* On the 5th you cut how much? *A.* A yard and three-quarters—there were two cuts the same day—I hardly know whether one cut was made before me—I presume there was ten yards and one-eighth at the time I cut it—three yards were afterwards cut off to my knowledge—the quantity which appears now does not exactly tally with the quantity which was left—the length I lost was seven yards and one-eighth, and here is five yards and three-quarters—I have no doubt of it being mine—I know nothing of the prisoner.

GEORGE KING. I am assistant to Mr. Gray, a pawnbroker in Fleet-street. I know the prisoner—on the 9th of November he brought this piece of velvet to pledge, which I advanced 2*l.* on—I have the duplicate—he pawned it in the name of John Turner, No. 11, Dorset-street—on Friday, the 10th of December, he came again—we had in the interval intimation respecting the velvet—he came into the private boxes, and offered to pledge a piece of black velvet—I recognised him, and made a communication to my brother shopman, who moved—the prisoner saw that, and he delivered the piece of black velvet into the shopman's hands, who gave it to me, and went out to fetch a policeman—while he was gone the prisoner moved from the box into the front part of the shop, and when the policeman was coming in through the middle door, the prisoner opened the door, and was going out—he had not got the money he wanted on the velvet, nor yet the velvet, at that time—I went to Dorset-street, but there was no No. 11 in the street.

Cross-examined. *Q.* Is it unusual for persons pawning to give other names than their own, and other places of abode? *A.* No, it is a very usual thing.

EDWIN BURGESS (*City police-constable, No.* 184.) On the 10th of December I was called to Mr. Gray's, and saw the prisoner there—he was leaving the shop, when the shopman caught hold of him, and gave charge of him—he gave the name of John Smith at the station-house, and said, when he stopped in town, he slept at the Cross Keys public-house in Gracechurch-street, and he had slept there the night before—I made inquiry at the Cross Keys public-house, and they knew nothing of any such person—I was at the Justice-room at Guildhall when the prisoner was there—previous to his being examined, I asked him from whom he pro-

cured the velvet—he said, "From that person," looking at the prosecutor, who was in the Justice-room—I asked if he meant the prosecutor—he said, "Yes, conditionally."

Cross-examined. *Q.* Are you quite sure he said he got it from the prosecutor? *A.* I am positive he made use of the words I have stated—I have never wished to correct what I stated about that—I never mentioned it to any body—the prisoner said I misunderstood him, and I said he misunderstood me, not that I misunderstood him—that was my reply to him, and he acknowledged, in the presence of the gaoler, that those were his words—he said that those were his words, but I misunderstood him.

Q. What words? *A.* That he said, "Yes, he received it of that man;" "Yes, conditionally;" that those were his words, but I misunderstood him—he was not talking of a person named Turner at that time—he mentioned the name of Turner—he said he received it of a person, but never mentioned Turner.

Mr. Phillips. *Q.* Was that before or after he said he received it of the prosecutor, pointing to him? *A.* Before—after he said he received it of a person, he said he received it of that man, looking at the prosecutor—I then asked him if he meant the prosecutor, and he said, "Yes, conditionally."

Mr. Gabriel *re-examined.* *Q.* What means have you taken to ascertain that it is your velvet? *A.* I have caused the trade to be searched—I examined the velvet with two patterns I have in my hand, with a magnifying glsss, and can swear the selvege threads are exactly the same—I had the whole piece, fourteen yards and three quarters—I have the same pattern, but the selvege is widely different—I have two pieces off the whole piece which I have cut off our cards—the longest length we ever sold was three yards.

Witness for the Defence.

Francis Heeney. I am a shoemaker. I know the prisoner—his name is Boddy—I have known him four years—I have worked for him, and he always paid me.

Mr. Phillips. *Q.* Pray are you the Mr. Francis Heeney who has made an affidavit in this case? *A.* Yes—I worked for the prisoner till within a day or so, for about three years, at jobs, mending shoes and boots—he lived in Pitt-street, Blackfriars-road—I cannot say when he left there—I sent the work home which I did last week, to St. Ann's-place, St. George's—he began to live there about a month ago, I suppose—I do not know where he lived before, as I had not done business for him for the last six months, except last week—I was walking in High-street, Borough, on business, on the 10th of December, and met Boddy at the corner of King-street—he walked with me—we met a man, not quite so tall as Boddy, I think, but I cannot particularly say, as I did not measure him—he was a dark man, and had black whiskers—he called Boddy by the name of Boddy, as if he knew him well—he said, "I have got some goods will suit you"—I walked on, and left the two together—I heard no more said—about three years ago the prisoner lodged somewhere in the New-cut, I think—it was a private house—I cannot recollect where he lived when I did business with him before the last week—I have not worked for him since he has kept a public-house—I made him a pair of shoes or boots about two years or two years and a half ago—I cannot recollect where I sent them home, but I

know it was a private lodging—that is the last place I sent any thing to till last week—I did not know him in any business but the public line—the last house I knew him at was the Duke's Head public-house, a year and a half ago—it was Mrs. Boddy—I sent the things a year and a half ago.

COURT *to* MR. GABRIEL. *Q.* What quantity will make a waistcoat generally? *A.* A yard or a yard and a quarter—there is a yard and three-eighths gone from this—that is enough for the largest waistcoat—these fancy velvets are made all lengths, according to the consumption—I had the whole piece, and the dress-hooks were at each end.

(Several other witnesses gave the prisoner a good character.)

NOT GUILTY.

(The prisoner was detained to be indicted for receiving.)

Before Mr. Baron Gurney.

525. WILLIAM MOWATT was indicted for stealing, on the 4th of December, 2 sovereigns, and 4 10*l.* Bank-notes, the property of Charles Blakeley Brown.

MESSRS. CLARKSON and DOANE *conducted the Prosecution.*

CHARLES BLAKELEY BROWN, M.D. I live in Curzon-street, May Fair. On the 3rd of December, I read this advertisement in the "Times" newspaper—(*looking at it*)—in consequence of which I proceeded to the stables in Welbeck-street, and saw a stable boy—I then saw a man named *Jem*, who was dressed as a groom in mourning, all in black—I asked to look at the horse which was advertised in the "Times" of that morning, the bay gelding by Waterloo—he showed me the horse—I asked its age—he said he was six years old, that it was the property of Mrs. Brown, the widow of the late J. Brown, who resided at the Crescent, Leamington—the prisoner was not present at this conversation—I saw him very shortly after—I asked the price of the horse, and Jem pointed to Mowatt, who was close at hand, and said, "This is the man who is commissioned to sell the horse"—Mowatt said a gentleman had offered him 35*l.* for it that morning, but that was too low a price, he could not let it go at that—that forty guineas was the lowest he would take for it—that he had received a note from the gentleman who offered the 35*l.* the day before, that morning, to say he would give 40*l.* for it—he had a note in his hand, which he said the gentleman had written to him, and he showed it to me—I looked at it, but did not read it—he said he could not let it go for 40*l.*, but if I liked to give forty guineas I might have it—I looked at the horse and said, "I do not altogether dislike the look of the horse, but I must try him," and asked to see him out—I saw him out, and then asked leave to ride him to try him—Mowatt said I could not ride him that day, nor could he keep him for me till the next day without my giving a deposit—I said, "What deposit did he want, and that I had not got much money about me"—I left 5*l.* deposit, and he gave me a receipt for it, which I read—it was a memorandum—I gave it back to Mowatt the following morning—it was "Received of Dr. Brown, the sum of 5*l.*, a deposit for the horse to be kept for trial to-morrow"—I believe those were the words—I went next day at eleven o'clock to try the horse by agreement—I found *Jem* and the prisoner there—I sent my saddle and bridle there, and in a few minutes the horse was saddled, and I got on—before that, Mowatt gave me back the 5*l.*, and I gave him back the memorandum—he said, "Are you prepared to deposit the price of the horse?"—I said, "Yes, and you must give me a receipt

for it"—I gave him four 10*l.* notes and two sovereigns, and he gave me this receipt—(*produced*)—the 5*l.* note he returned to me was the same I had given him—(*receipt read*)—"London, 4th of December, 1839. Received of Dr. C. B Brown, the sum of 42*l.* for a bay gelding, warranted sound, free from vice, and a good hunter; if not approved of in two days to be returned"—(*signed by the prisoner.*)

Q. Did any thing further pass than what he said that you were to deposit that sum before you could try the horse? *A.* No—*Jem* was present, and he said it was the favourite horse of his old master, J. Brown, of Leamington, and that Mowatt had brought it into harness, and if it could get into good hands, he had no objection to part with it at the low price of forty guineas, and he hoped it would have a good situation—I said, "Yes it would, it was going into the neighbourhood of Northampton"—he said, "Oh, very well, it would be near its own place of living"—I had given him 6*s.* the day before, as he had said in the prisoner's presence, that he was going back to his mistress that night, and as he was sure I should like the horse and would purchase it, he hoped I would give him some money—upon which I gave him the 6*s.*, and he said he would give it back if I did not buy the horse, and he said to Mowatt, "Of course you will give Dr. Brown the 6*s.* back if he does not purchase the horse"—Mowatt said, "Of course I will"—I got on the horse, and shortly after I began to ride, I found he pulled so hard I could hardly hold him—I took him into Hyde Park, and the first thing he did was to kick violently—I kept him out better than an hour—I then returned to the stable and saw *Jem*—I do not recollect seeing Mowatt at that time—in consequence of what *Jem* said I was induced to go there again the same day, at two o'clock, to try the horse again—I went, and again tried it—I found it more vicious than before, and more difficult to ride—after having shown him to one or two people, I returned to the stable a little before four o'clock, and found *Jem* and Mowatt there—Mowatt was showing a horse to a gentleman—I said, "The horse won't suit me at all; it does not answer the description; it is much older than you say it is, and I won't have any thing more to do with it"—"Oh," said Mowatt, "I don't wish you to keep the horse if you don't like it; I will give you back your money"—I said, "Very well then, give it to me"—he said, "I have not got it here; it is at my banker's"—I said, "Give me back my money, and I will give you the shilling for the stamp receipt"—he said, "Never mind the stamp"—he said the money was at his banker's, and he would go and get it—I said, "Very well, I will go with you"—upon this *Jem* came up, and begged I would write a note to Mrs. Brown to say I had tried the horse, or she would think Mowatt had not taken any pains to sell it—I told him I had no paper—he took me up a small staircase to where he got paper, pen, and ink—I wrote a note, which he did not approve of, and at his dictation I wrote another, and gave it to him—I then looked out for Mowatt, but he was gone—I made inquiry of *Jem* about him—I never saw him again for some time—he never came to my house at all—I went to the stable the first thing on the morning of the 5th—I only found a stable-man there—neither *Jem*, Mowatt, nor the horse—on the 11th I saw another advertisement in the *Times*, in consequence of which I proceeded with Hooker the officer to a stable in Thomas-street, Brook-street, Grosvenor-square, and saw Mowatt come out—he did not see me at first—I got behind a cart—directly he saw me, he turned into the stable he came

out of, and slammed the door—the officer came up—he was obliged to force the door, and took him in the loft—Mowatt said to me, "You have got the receipt."

Cross-examined by MR. ADOLPHUS. *Q.* Did you at any time give the prisoner your address? *A.* Yes, the first day, on a card—I am sure of that—the first time I rode the horse in the Park and I tried it in the road—I rode it to the house of a man named Holliday, a dealer in horses, and another man, named Webb, a dealer in horses—they told me the horse was much older than I had been told—*Jem* and Mowatt both said it was six years old—if I had looked in its mouth I could satisfy myself of that, which I did—I took it on the word of *Jem* as to the age, without examination—it was in the last ride I went to the two horse-dealers—I have not bought a horse of either of them since—my brother has bought one—I was looking out a horse for him, and he came to town and bought one—I did not buy it of either of those persons, but of a man in the Edgeware-road.

Q. When you took this horse, did you buy it? *A.* No, certainly not—I never said I did—(*looking at a letter*)—this is my writing—it is what I wrote at the dictation of *Jem*—I did not write what was untrue at the dictation of any body—it is true I wrote that paper, but I wrote it under peculiar circumstances, because I saw I was being robbed at the time—I did not buy the horse on trial.

Q. Did you expect to have that very identical money back again? *A.* The same as I expected, and did receive the very 5*l.*—I expected he would not part with the notes, just the same as if I had given him a cheque I should expect he would not have received it—there was no agreement that he should return to me the very notes and sovereigns—I should know my marks on those notes—I do not know their numbers—neither of the notes were found by the officer—I should have taken other money, if he had given me forty guineas at the banker's—I would have taken any money—if the horse had suited me I should not have asked for any money back—I am sure the horse was not of the age they said, from my own observation, but I did not look at it till after I took it out, not in the mouth—I took the age on *Jem*'s word.

WILLIAM HOOKER. I am a policeman. On Monday, the 9th of December, I received a warrant to apprehend Mowatt and another person—on Wednesday, the 11th, I went to a stable at No. 14, Thomas-street, Brook-street, Grosvenor-square, with Dr. Brown—I passed the stable-door before Dr. Brown, and saw persons about—I intimated to Dr. Brown what I had seen, and he went forward—in consequence of what I learnt from him, I went to the stable, No. 14, and tried the door—it was fast—I knocked three times, but nobody answered—I said, "If nobody opens it, I must break it open"—I broke it open, went up stairs to a loft, and saw the prisoner—I said, "I have a warrant against you for felony, and you must go with me"—he said, "I should like you to read the warrant" I read it—he said, "How can that be? how can they make a felony of it; has not he got the receipt?"—I said he must go to the station-house, and just before we left I asked him where the horse was—he said he knew nothing about it—I searched him, and found two 10*l.* notes, two sovereigns and a half, and 4*s.* 6*d.* in silver—I also found a banker's book, according to which the last deposit appears to be 114*l.*, on the 10th of October.

CHARLES REEVE. I am clerk to the London and Westminster Bank.

The prisoner has an account there—the last date of his making a deposit is the 10th of October—he has not made a cash deposit there since.

Cross-examined. Q. How do you know that? A. By the book, which I keep myself.

OLIVER HANBURY. My brother is in partnership with Mr. Patterson, a solicitor at Leamington—he has lived there twenty-two years—I have made inquiry and search for a person named Brown there—I had a copy of the advertisement to guide me—I could find no such person at Leamington, nor about there, nor any widow of Dr. Brown—I could not find either the lady or gentleman described.

WILLIAM HOLLIDAY. I am a livery-stable keeper and job-master in Seymour-mews, Portman-square. On the 4th of December Dr. Brown showed me the bay gelding said to be from Waterloo—in my judgment, it was worth from 15*l.* to 20*l.*

Cross-examined by MR. BODKIN. Q. That is what you would give for it? A. No—I would not buy it at all—I did not like its appearance—I have not had any dealings with Dr. Brown before or since—I have sold a good many horses in my time—I in general tell parties what is the matter with them.

NOT GUILTY.

NEW COURT.—*Friday, January 11th*, 1840.

——— *Jury, before Mr. Recorder.*

526. WILLIAM FORRESTER was indicted for stealing, on the 27th of December, 1 coat, value 13*s.*; 1 waistcoat, value 1*s.* 3*d.*; 1 handkerchief, value 6*d.*; and 1 pair of shoes, value 6*s.*; the goods of Samuel Shepherd.

SAMUEL SHEPHERD. I live in North Conduit-street, Bethnal-green, and am a silk weaver. On the 26th of December I met the prisoner in a public-house in Hackney-road—I had met him there before about twice a week—we staid there till twelve o'clock, and then went to another house in Whitechapel—we staid there till past one o'clock—I was then drunk—he offered to take me to a lodging, and we went to No. 2, Rose-alley, Bishopsgate-street, and went to bed—in the morning the prisoner was gone, and I missed my coat, waistcoat, handkerchief, and shoes, and a pair of shoes of the prisoner's were left behind—I got an officer, and found the prisoner the next day in Phillip-street, Hackney-road—this is my coat, waistcoat, handkerchief, and shoes—(*looking at them.*)

JOHN BALSAM. I live in White Bear-gardens, Shoreditch, and am a smith. On the morning of the 27th of December the prisoner came to me while I was in bed, and asked me to lend him 7*s.* on this coat—he said he was going to pawn it, but could not, because it was wet and muddy—I let him have 7*s.* on it, and pledged my own trowsers and handkerchief to raise the money.

RICHARD PEDRICK. I live in Temple-street. On the 28th of December I went to No. 9, Phœnix-street, Hackney-road, where I saw the prisoner—he asked me to pledge a pair of shoes for him—I pawned them at Mr. Harris's, in Hackney-road, for half-a-crown, in the name of Grout, which is the name I usually pawn in—I came back and gave him the money—he gave me this old waistcoat for going, and this handkerchief

was inside the waistcoat—in consequence of what I heard the next day, I delivered up the waistcoat and handkerchief to his moher.

FREDERICK NORMAN. I am shopman to Mr. Harris, a pawnbroker, in Hackney-road. On the 28th of December, the witness pawned this pair of shoes with me.

GEORGE FORTUNE (*police-constable G* 169.) On the 28th of December I was on duty in Shoreditch, and the prosecutor spoke to me—from what he said, I went to No. 9, Phœnix-street, Hackney-road, and apprehended the prisoner—I told him it was for stealing a coat, a waistcoat, a handkerchief and a pair of shoes from Shepherd—I got this coat at No. 4, White Bear-gardens—the prisoner's mother brought this waistcoat and handkerchief to the station-house.

Prisoner's Defence. I met the prosecutor—we got playing in the skittle-ground—we then went to lodge at a very bad house—there were more lodgers there—I got up at half-past eight o'clock, and went out—I bought the coat, as I was going through Petticoat-lane.

GUILTY. Aged 20.—Transported for Seven Years.

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527. JOHN ROGERS was indicted for stealing, on the 16th of December, 1 coat, value 2*l.*, the goods of James Bannister.

JAMES BANNISTER. I am coachman to Mr. Hendrick, an omnibus-keeper—his stable is in John-street, Church-lane, Whitechapel. On the night of the 15th or 16th of December, I was at the stable about half-past ten o'clock—I left my coat hanging in the stable—there was a horse-keeper there—we came away together, leaving the stable locked—I went next morning, and found the padlock had been wrenched off the door and thrown away—I missed my coat and a Macintosh cloak belonging to John Riddle—the prisoner had worked twice for my master—I saw my coat on Saturday morning on Groom, the driver of a *cab*, in Piccadilly.

Cross-examined by MR. PAYNE. *Q.* Did the prisoner drive the County fire-engine? *A.* I believe he did—I saw the horse-keeper lock the stable when we came out.

GEORGE HURST. I live in Little Park-street, Regent's Park, and am a *cab*-driver. The prisoner sold this coat to me in the yard at the King-street bazaar, in Portman-square—he brought it down the yard and said he had brought a bargain for some one to buy—I looked at it, and he said he wanted 16*s.* for it—I offered him 14*s.* for it, and stood with him for almost half-an-hour—I at last bought it—I wore the coat for about five days, and then lent it to Groom, who drives a *cab*—I am certain it is the same coat—I did not know his name at the time—I never saw him before—Loader afterwards told me his name.

Cross-examined. *Q.* Did you go to see him in the station-house? *A.* Yes—I said I could not take my oath if I had met him, as a stranger, in the street, that he was the man, not thinking about the coat, but the moment I saw him in custody, I knew he was the man.

COURT. *Q.* What did the prisoner say? *A.* He said his wife and children were badly off, and he had not food to eat—there were four men in the yard, and I asked Loader if he knew the man—he said, "I have known him for four years, and I should say it is all right in buying it"—I know this is the same coat by buying it and wearing it—I know it by the velvet collar and by the lining of it which I believe is bear-skin—I never saw one like it—I cannot tell the day I bought it.

WILLIAM LOADER. I live in York-mews, Baker-street. I work for the same master as Hurst—I recollect the prisoner coming to the yard, between seven and eight o'clock one morning, I think about a month ago, with the coat on his back—he said he had got a bargain to sell—I told him I dared to say some of the men in the yard would buy it of him, but I did not want one—Hurst looked at it, and offered him 14*s.*—he stood out for some time, and then gave 16*s.* for it, but I saw no money pass between them—Hurst asked me if I thought it was all right—I told him I had no doubt of it, as I had known the prisoner for three or four years, and he had worked with me in York-mews—this is the same coat.

Cross-examined. Q. Has he always borne a good character? *A.* Yes—I do not know whether he has a wife and family.

RICHARD THOMPSON (*police-constable H* 69.) The prosecutor spoke to me, and I found the prisoner at the Fir Tree public-house, in Whitechapel—I told him I wanted him for a coat—he said he knew nothing about it.

(Sarah Edwards, the wife of a paper-hanger in Wood's-buildings, Whitechapel, gave the prisoner a good character.)

GUILTY. Aged 24.—Transported for Seven Years.

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528. ELIZABETH JONES was indicted for stealing, on the 1st of January, 2 shirts, value 4*s.*, the goods of Edward Webb.

MARY LLOYD. I am the wife of Robert Lloyd, and live in Rose-street, Long-acre. On the 1st of January I met the prisoner in Seven-dials, and we had two quarterns of rum together—I thought my husband would be angry with me for staying out, and find out that I had been drinking, and I took the prisoner home to pacify him—when we got there my husband was not at home—I said I would go to bed, and told the prisoner to make my boy's bed, which she did, and went away, bidding me good night—I had two shirts in my room, one was ironed, and hanging on my line—when my boy came in I missed that shirt and another—I got up, and went, in the middle of the night, to the prisoner's lodging, in Little Short's-gardens—I found her there, and she gave the shirts to the policeman—they are the property of my nephew, Edward Webb—I had not given her permission to make use of them.

Prisoner. She has known me some years—she borrowed 6½*d.* of me, and said, "Come home, and I will pay you"—when we got home she could not find a shilling, which she said she had, but she said, "Go, get 2*s.* on these shirts, and bring in a quartern of rum; and by that time *Bob*" (meaning her husband) "will be come"—I said to her, "If I don't come back, I will take them home with me till to-morrow morning, and you can then do as you think proper"—I went to the pawnbroker's, and it was shut up—at one o'clock she came and said, was I at home—I said, "Yes"—she said, "Have you got the shirts safe?"—I said, "Yes," and I opened the door and gave them to her—we had had four quarterns of rum. *Witness.* I was not the worse for liquor, but I took her home to pacify my husband, as I knew he could tell, if I drank the least—we had two quarterns of rum, but there were three persons to drink it—I did not suggest that the prisoner might take the shirts to pawn—it is not likely I would give my nephew's shirts to pawn, when I had other things—I had not borrowed any thing of her—I had 4½*d.* when I met her—she put 3*d.* one time, and I 2*d.*, and the next time we paid 2½*d.* each—my husband did not come home till after I had been to the station-house.

STEPHEN LONGHURST (*police-constable F* 27.) On the 1st of January, about one o'clock in the morning, I went with the prosecutrix to the prisoner's lodging—the prosecutrix rapped at her door, and called her by her name, and asked for those shirts which she had taken from her room—the prisoner said, "I have got them safe in the cupboard, on the top of the stairs"—she then came out of her room-door, and asked whether she would have them then—she said, "You shall have them"—I then came on the top of the stairs and said, "Where are the shirts?"—she went into the room, unlocked the cupboard, and gave me them—she said the prosecutrix gave her them to pawn, but as the shop was shut up she could not do so—Mrs. Lloyd denied that, and she said she had taken them off the line without her consent—Mrs. Lloyd seemed excited—I think she had been drinking, and the prisoner was the worse for liquor.

NOT GUILTY.

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529. ELLEN SCALLAN was indicted for stealing, on the 4th of January, 2lbs. weight of bacon, value 1*s.* 6*d.*, the goods of Charles Walter and another.

JOHN GILLIES. I am shopman to Mr. Charles Walter and Mr. Patterson—they carry on business, as trustees, at No. 112, High-street, Marylebone—they are cheesemongers. The prisoner came into the shop last Saturday, and took a piece of bacon off a board where it was exposed for sale—she put it under her shawl, and was going away—she was taken with it, and she said she had come for some butter—on the way to the station-house she said she meant to pay for it, but no money was found on her.

THOMAS WEBB (*police-constable D* 67.) I took the prisoner—she said she intended to pay for the bacon, but no money was found on her.

Prisoner's Defence. I was in great distress.

(The prisoner received a good character.)

GUILTY. Aged 41.—*Recommended to mercy.*—Confined Seven Days.

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530. WILLIAM JAMES SARJEANT was indicted for stealing, on the 4th of January, 8lbs. weight of beef, value 4*s.*, the goods of Thomas Withey.

ANN WITHEY. I live with my father, Thomas Withey, a pork-butcher, in High-street, Bow. I was standing at the window last Saturday night, about twenty minutes before twelve o'clock—I saw the prisoner come and take two bits of beef out of the window—he went off, and I called "Stop thief"—my father, who was in the parlour, ran after him—I saw him at the station-house afterwards, and I am clear that he is the man who took the beef, which was brought back before I went to the station-house—I had noticed it about a quarter of an hour before it was taken—there are 8lbs. of it—the prisoner was dressed in a fustian frock coat—there was a gas-light in the window, and it reflected on his face.

JOHN WITHEY. I was in the parlour when my sister gave the alarm—I ran out with my father—I came up with the prisoner about three doors from our shop—my father spoke to him—he continued walking on, and my father with him till he got to the Black Swan public-house, which he rushed into—I went in after him into the tap-room, but I was *shoved* back—I went to the station-house, and got an officer—we went back to the Black Swan public-house—the prisoner came out about twelve o'clock, and I gave him into custody—he had then pulled off his coat—he had a fustian coat on when he was walking with my father—I asked him if he knew any

thing about the two bits of beef—he said he knew nothing about them—I did not say any thing to him about throwing the beef down.

JAMES MALONEY. I live in Mann's-buildings, at Bromley. On the 4th of January, shortly before twelve o'clock, I was in the Black Swan public-house—the prisoner came in, and pulled off a large fustian coat with pockets, and immediately after John Withey came in, the crowd *shoved* him back.

Prisoner. I never had a coat on at all. *Witness.* Yes, he got near the window, and pulled it off.

HENRY MILLS (*police-constable K* 235.) I went to the Black Swan public-house with John Withey on the night of the 4th of January—the tap-room was full—the landlord was just turning them out—I saw the prisoner come out, and he was pointed out to me by John Withey—I took him—I charged him with taking some beef—he denied it.

Prisoner. John Withey accused three or four people in the house. *Witness.* Not while I was there.

JAMES HARRIS. I am a draper, and live two doors from the prosecutor's shop. Between eleven and twelve o'clock on the night of the 4th of January, I was in my shop, with my back to the door—I heard a noise as if something fell—I found the two pieces of beef in the shop, a short distance from the door—I took them up, and to the best of my knowledge I gave them to Mrs. Withey—they were like these pieces—I did not see who threw them into my shop.

JOHN WITHEY *re-examined.* *Q.* Is Mr. Harris's shop between your shop and the door where you came up with the prisoner? *A.* Yes—I saw no person at that spot but the prisoner, nor any person immediately a-head of him.

Prisoner. I can answer for myself that I am not the man—I know nothing about this at all.

GUILTY. Aged 26.—Confined One Month.

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531. JOHN WATTS was indicted for a misdemeanor.

NOT GUILTY.

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532. ANN SPOONER was indicted for concealing the birth of a child.

GUILTY. Aged .—Confined Six Months.

ESSEX CASES.

Before Mr. Sergeant Arabin.

533. GEORGE HILL and EDWARD WRIGHT were indicted for stealing, on the 19th of December, 29lbs. weight of flour, value 6*s.*, the goods of John Gattey, the master of the said George Hill.

JOHN GATTEY. I live at Ilford, and am a baker. Hill was in my employ for two or three weeks, and was paid weekly—Wright used to bake potatoes at my house generally every night, or four or five times a week—he generally minded them himself.

Cross-examined by MR. JONES. *Q.* You have a son have you not? *A.* Yes, he is a baker—he is not in partnership with me, and has no interest in my business—he has no shop—he is paid as a journeyman—I have known Hill and his parents some years—I believe his character has been

very well—Wright has borne a good character as a hard working man—he carries hot potatoes, and his wife keeps a green-grocer's shop.

THOMAS CLARKE GATTEY. I am the prosecutor's son. I was at home on the 19th of December, about seven o'clock in the evening—Hill had been out—he came into the bake-house again, and soon after Wright came in with a basket for his baked potatoes—I was in the flour-loft over the bake-house, and saw through an opening in the floor, Wright go to the oven door—he then turned round to Hill with a bag, and they went to the flour trough—I could not then see the full person of them both, but I saw the hand of one of them lift up the lid of the trough—I could not swear that they were filling the bag, but they did fill it—I saw the trough lid let down, and Wright brought the flour in the bag in the basket right under my eyes again—he covered the bag over with the potato flannel and walked away—neither the bag nor the basket were my father's—I am sure Hill was in the bake-house, and they both went to the trough which was in the bake-house—Wright went out with the basket, and I waited in the loft till Hill went out—my brother then ran for a constable—I went with the constable, who found the bag of flour in Wright's house—he was out at the time—his wife denied it at first, but it was found in the bed-room, I believe, but I did not go up stairs—this is the bag—it contains flour—I know the sort of flour my father had, but not to swear to it—I believe this to be the bag, but I cannot swear to it, and I believe this flour in it to be the quality of flour my father had—it is the best household flour.

Cross-examined. *Q.* Is it best or seconds? *A.* Best—my father had none but best in the trough—I went from the bake-house to the loft—I left no one in the bake-house—the hole in the floor, through which I saw this, was about an inch wide, and about the length of my fingers—I saw both the prisoners distinctly, but when they got to the trough I saw only the hand of one of them, as the opening would not admit of my seeing their persons there—I first saw Wright with the bag in his hand, which was rolled up and empty—when I saw it full it was closed—I did not see what was in it, but I am sure there was flour in it, because there was nothing in the trough but flour—he put the bag in the basket, which was a hand-basket, which he carried on his arm—I should have thought there was about a peck of flour in it, which would be worth 3*s.* 4*d.*

SAMUEL DAVIS. I am a constable of Ilford. I went with the prosecutor's son to Wright's house, which is a small cottage—we got there between seven and eight o'clock in the evening—Wright was not at home—I asked his wife if she would allow me to search the house—she said, "Yes"—I went to the cupboard, and found a small quantity of flour—I had Hill with me, and I said to him, "What sort of a bag was it boy?"—he said, "A pillow-case"—Mrs. Wright said directly, if Mr. Gattey would not hurt them, she would produce the flour—she went up stairs—I followed her, and she gave me this flour in this pillow-case.

Cross-examined. *Q.* How long have you been a constable? *A.* Thirteen years—I have been here a great many times—I did not get my expenses once, because I did not produce the property, which was some large pieces of timber—I had them at my house, and part of them is there still—the parties might have had it if they had come for it—the timber was worth about 1*s.* 6*d.*—there were two pieces, about six feet long—I did not bring them, as it was nine miles off—that was the only occasion on which my expenses were refused—I am a pork-butcher by trade, but have been a

constable many years, and have lost my trade through doing my duty—I have not said I had got another job, and I was very glad—when Hill said it was in a pillow-case Thomas Clarke Gattey was present, and two of his brothers—he did not look at the flour.

JOHN GATTEY *re-examined.* *Q.* Have you looked at this flour? *A.* It looks very like my flour—I would not swear to it—I think it is mine.

Cross-examined. *Q.* Will you swear you believe it is your flour? *A.* Yes, as far as a person can judge—no man can swear to flour—I should not like to be too positive—it is an awkward thing to swear to flour—I believe it to be mine according to what has occurred—it weighs 30lbs., with the pillow-case and all.

(The prisoners received good characters.)

HILL—GUILTY. Aged 17. } *Recommended to mercy.*—
WRIGHT—GUILTY. Aged 28. } Confined Six Weeks.

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534. ANDREW JONES was indicted for stealing, on the 20th of December, 80lbs. weight of lead, value 14*s.*, the goods of Charles Covell, and fixed to a certain building; against the Statute, &c.

JOSEPH MATTHEWS. I am a watchman of Stratford. On the 20th of December, about three o'clock in the morning, I saw the prisoner run across the road with this lead—I ran and said to him "What have you got here"—I saw it was lead, and I went on and called the next watchman—I then said to the prisoner, "Where did you get this lead"—he said, "I brought it from Mr. Green's, at Laytonstone; I am a plumber, and I am going to exchange this for new"—I locked him up, and then found the prosecutor—the prisoner was about one hundred yards from the prosecutor's when I first saw him—he was a stranger to me.

JOHN BARTLETT. I am a constable. Matthews came to me that morning at a quarter-past three o'clock—I went to the watch-house, and found the prisoner there with this lead—he said he was going to exchange it for new—he said he was a plumber, and would I take care of the lead till he got a note from the lady at Laytonstone.

CHARLES COVELL. I rent a house at Stratford. I saw this lead secure on the house when I went home, a little before twelve o'clock at night, on the 19th of December—it was fixed over the bow-window—I know this to be the lead, by a cut in it, which was made when it was tried once before—there is about eighty pounds weight of it.

Prisoner's Defence. I was returning from Woodford, and saw the sack containing this lead in the road; I picked it up, and thought it must have dropped from a cart; I carried it some distance; I had no tools of any description.

GUILTY. Aged 41.—Transported for Seven Years.

KENT CASES.

Before Mr. Recorder.

535. JOHANNA TURNER was indicted for stealing, on the 26th of December, 1 handkerchief, value 3*s.*; 1 tobacco-box, value 6*d.*; and 3 shillings; the property of James Robinson, from his person.

JAMES ROBINSON. I am a shipwright, and live in Copperas-lane, Deptford. On the evening of the 26th of December, I went to the Walter

Arms public-house, Flood-street, Deptford, between four and five o'clock —I fell asleep in the tap-room, till between seven and eight o'clock, having been at work very hard, and having had a little liquor besides—on awaking, about eight o'clock, I missed a black silk handkerchief, which I had previously worn round my neck, also a tobacco-box from my waistcoat pocket, and 3*s.* in silver—my attention was called to the prisoner by Ann Cowell, and in consequence of what she said, I said to her, "Give me my property"—she denied having seen it, and I was ill-used and beaten about and struck by the men and women there—I went out, got a policeman, and gave the prisoner into custody.

Cross-examined by MR. PAYNE. *Q.* Was the landlord present when you were struck? *A.* I did not see him—there was no one there belonging to the house, to my knowledge—there were people in the bar, which is no great distance from the tap-room—if I had called out they could have heard me—I was two or three hours in the public-house—there were about twelve or fourteen persons there when I fell asleep—I cannot tell how long I was asleep—I think it was about three-quarters of an hour—the policeman who took the prisoner is not here—I do not know why—he was before the Magistrate—I did not give the prisoner any thing to drink after I was told she had robbed me—I do not remember borrowing 2*d.* to get some drink—I was more fatigued than in liquor—I had hardly time to look round me before I was knocked down.

ANN COWELL. I am the wife of William Cowell, and live in Flood-street, Deptford. On the 26th of December, about six o'clock, I was in the tap-room of the Walter Arms public-house, with my husband—I saw the prisoner there, and the prosecutor asleep—I was close by him—he was asleep some time—while he was asleep I saw the prisoner take a handkerchief from his neck, and a tobacco-box out of his pocket—when he awoke he said, "Ann Cowell, do you know any thing about my being robbed?"—I said, "Yes," the young woman that sat alongside of him had robbed him of his handkerchief and tobacco-box, and had put the handkerchief alongside of him—I got ill-used, and got a black eye, from their companions—I was afraid to interfere before the prosecutor awoke, she had so many on her side.

Cross-examined. *Q.* Did you not say before the Magistrate, that you should have given information but were afraid of being ill-used by the bad characters that were with her? *A.* And that is what I say now—they were drinking with her—I bear a good character.

Q. Have you ever been charged with any thing? *A.* That has nothing to do with this—nobody can come forward to say so—I was not tried and convicted of felony, and had three months imprisonment at Maidstone—I was never in trouble at all.

Q. Were you not tried at Maidstone, convicted, and sentenced to six months imprisonment, and suffered it? *A.* Has that any thing to do with this?

Q. Do you mean to swear you were not? *A.* No, I do not mean to swear it—I did not come here about that—I came to speak the truth, and nothing but the truth, and that is the truth, I saw the prisoner take the handkerchief—I have known the prosecutor a good bit—we were girl and boy together—he is married, and has two children, I think—I never said I would swear black was white for him—I never said any thing of that sort to the landlady of the house—I never exchanged three words with

the landlady—I remained in the room till the prosecutor awoke, and till the policeman came, and took her—the policeman came about twenty minutes after seven o'clock—it was not ten o'clock before any account was given to a policeman—it was past eight o'clock as the prisoner was going to the station-house—I saw her take the handkerchief from the prosecutor's neck, and the tobacco-box from his pocket—I do not know what she did with it—she did not remain all the time—she went out—she was not there at the time he awoke—she went out for about twenty minutes, and came in again—he then asked where his property was, and he was knocked down and ill-used by the young men who were with the prisoner—she came in almost directly after I told him who it was—I was struck, and my husband also—all three of us were ill-used.

WILLIAM COWELL. I live in Flood-street, Deptford, and am a labourer. I was with my wife at the Walter Arms public-house on the 26th of December, and saw the prisoner there—I saw her take the tobacco-box out of the prosecutor's left pocket as she sat in the box, and this silk handkerchief off his neck—she dropped it down on the left hand side of him—she then went away for about three-quarters of an hour—when the prosecutor awoke, he came to my wife, and inquired if she had seen his handkerchief, or seen any one rob him—she said, "Yes," she saw the young woman—the prisoner must have been in the house at the time, for no sooner had my wife spoken the word than she was knocked down by the prisoner's confederates—I got my arms round her neck, to try to keep them from striking her—a young man struck over her, and struck me in the eye, and I had it black three or four day—he kicked me in the side, which I felt greatly afterwards.

Cross-examined. Q. How do you get your living? *A.* I work for the Greenwich Union, at the New Union workhouse—I have worked for them seven weeks—last Saturday was the last time I did any work there—before that I worked for seven years in the Phœnix gas-works, Greenwich—I left them through a few words between the superintendent and me concerning the fires—I have a written character with me which I received from there when I left—(*producing it*)—it is signed by the superintendent—I left on the 18th of October, 1839—my wife also got a black eye from a young man named Richfield—he was apprehended, and had to pay 11*s.* 6*d.* for it.

JAMES ROBINSON *re-examined.* The money was in my pocket—I cannot say whether it was in the box, or in the same, or a different pocket.

GUILTY.* Aged 22.—Transported for Ten Years.

Before Mr. Sergeant Arabin.

536. JOHN WAITE was indicted for stealing, on the 26th of December, 1 pocket, value 3*d.*; 1 handkerchief, value 1*d.*; 1 thimble, value 6*d.*; 1 purse, value 1*d.*; 1 box, value 4*d.*; 2 half-crowns, 5 shillings, 1 penny, and 1 farthing; the property of Elizabeth Allender.

ELIZABETH ALLENDER. I am an unfortunate woman. I fell in with the prisoner, on the 26th of December, at Greenwich—I had not known him before—I took him to my lodging—he gave me three shillings—he got up in the morning between five and six o'clock, as near as I can recollect, and went away—I had placed my pocket, which contained the articles stated in the indictment, under my pillow—he had not been gone a moment when I missed my pocket and its contents—I gave information to

the police, and the pocket was brought back in about ten minutes—it contained the articles and money stated—I had not given it to the prisoner.

Cross-examined by MR. PHILLIPS. *Q.* He gave you a necklace also, did he not? *A.* Yes—I am single—he told me he would meet me the next evening.

WILLIAM SMITH (*police-constable R* 49.) The prosecutrix informed me of this, and I went after the prisoner—I found him under a lamp-post, with the prosecutrix's purse in his hand—I said, "What have you got there"—I snatched it from his hand, and took him to the prosecutrix, who identified it.

Cross-examined. *Q.* Do you know his family? *A.* Yes; they are highly respectable people.

(The prisoner received a good character.)

GUILTY. Aged 20.—*Recommended to mercy by the Prosecutrix and Jury.*

Confined Three Months.

SURREY CASES.

Before Mr. Recorder.

537. SARAH CARROLL was indicted for stealing, on the 27th of December, 1 gown, value 10*s.*; 1 printed book, value 5*s.*; 1 necklace, value 10*s.*; 1 knife, value 6*d.*; 1 snuff-box, value 4*d.*; 1 apron, value 6*d.*; and 1 shawl, value 1*s.*; the goods of Thomas M'Lewee, her master; and JOSEPH BLIZZER, for feloniously receiving the said necklace and knife, well knowing them to have been stolen; against the Statute, &c.

THOMAS M'LEWEE. I live in Roupell-street, Lambeth. I received Carroll into my service from Lambeth workhouse, on Monday the 23rd of December, and on the Friday evening she went away without any notice—we were to give her what wages we pleased—we intended to give her 1*s.* 6*d.* a week besides her board—I immediately gave information at the station-house, and she was taken next evening at a public-house—I lost the articles stated—the gown is worth 10*s.*, the necklace, 10*s.*, and the prayer book, 5*s.*

BENJAMIN DODGON. I am shopman to Mr. Folkard, a pawnbroker, in Lambeth Walk. I produce a gown pawned by Carroll on Friday evening the 27th, and a necklace early on Saturday morning by Blizzer, in the name of Barrett—I am certain of him, though he was differently dressed afterwards—I cannot swear to him positively—I have no doubt of him—Carroll also pawned a book—both that and the gown were in the name of Jennings.

Blizzer. *Q.* You say I pawned it? *A.* You are a good deal like the man—you had a black coat and a black hat—it was the very first pledge we took in that morning—it was at a quarter-past eight o'clock.

ROBERT OVENDEN. I am a policeman. I apprehended Carroll on the evening of the 28th—the prosecutor claimed the apron and shawl she had on—I found on her a snuff-box, and the duplicate of a prayer book—I apprehended Blizzer about a quarter to nine o'clock the same evening, at the Queen's Head public-house, about one hundred yards from the other public-house—I charged him with stealing a necklace and beads from Carroll—he said, "I have no beads"—I said, "The beads you pawned at Mr. Folkard's this morning"—he said, "So help my G— I had none, nor did I pledge

any—I took him to the station-house, and found a small knife, which was claimed by the prosecutor—he wore a blue cap—I found some new stitches in the lining, and between the lining and band of his cap I found the duplicate of the necklace—I also found a knife on him, which the prosecutor claims.

(*Property produced and sworn to.*)

Blizzer's Defence. On the Friday when Carroll left her place, I was at the Jolly Gardeners public-house—she came in, sat down along side of me, and drank with me—she asked if I would accept of that knife—she gave it to me, and afterwards took a snuff-box out containing a coral necklace and said, "I will make you a present of this for your wife's little girl"—I said, "Where did you get it?"—she said it was her own, and she had bought and paid for it—she asked where I was going—I said towards home—she wanted to go that way, and came with me—I went home, and she went elsewhere—next morning I was at the Queen's Head public-house—I took the necklace out of my pocket—several women there wanted to buy it of me—a shoemaker said, "I will go and pledge it for you"—he did take it, and pawned it for 1*s.* 6*d.*, and brought me the duplicate—at night I was taken for stealing from Carroll—the pawnbroker said I was the person who pawned the necklace, but before the Magistrate he did not know whether I was the person or not.

CARROLL—GUILTY. Aged 18.
BLIZZER—GUILTY. Aged 36. } Transported for Seven Years.

Before Mr Sergeant Arabin.

538. ANN BROWN was indicted for stealing, on the 22nd of December, at Lambeth, 1 neck-chain, value 3*l.*; 3 brooches, value 5*l.*; 4 rings, value 4*l.*; 1 necklace, value 10*s.*; 1 gown, value 10*s.*; 1 petticoat, value 20*s*; 1 cap, value 5*s.*; 6 handkerchiefs, value 13*s.*; 3 shawls, value 2*l.*; 3 frocks, value 2*l.*; 5 gown-skirts, value 12*s.*; 4 collars, value 10*s.*; 3 pairs of stockings, value 6*s.*; 3 shifts, value 20*s.*; 1 bonnet, value 20*s.*; 1 pair of shoes, value 2*s.*; 1 bedgown value 2*s.*; 1 cloak, value 5*s.*; and 7 sovereigns, the property of James Holder, her master, in his dwelling-house, and that she had been before convicted of felony.

MR. CLARKSON *conducted the Prosecution.*

CLARISSA HOLDER. I am the wife of John Holder, and live in Bartholomew-terrace, Camberwell, in the parish of St. Mary, Lambeth. The prisoner was in our service from the 10th of December, till Sunday the 22nd—we left home about half-past ten o'clock that morning to go to church leaving her in charge of the house—I placed a bunch of keys in a chest of drawers, which I locked—there is a small drawer in that chest, in which I kept my trinkets—I locked that drawer, and put the key in a looking-glass drawer, which was not locked—Mr. Holder and my daughter accompanied me to church—we returned about one o'clock—the servant who drove us from church knocked at the door, but we could not obtain admission—the man servant got over the garden wall, got in at the back door, and let us in—I went into my bed-room, found the drawer open, and the trinkets taken out—I missed the articles stated, which are worth from 30*l.* to 40*l.*—I had left no other servant in the house.

Prisoner. Q. Were not your keys on the drawers? *A.* No, *in* the drawer.

SUSAN BELMORE. I live opposite the prosecutor's house. I was at

home on Sunday morning, the 22nd of December, between twelve and one o'clock, and saw the prisoner come out of the front-door of the house, with a large bundle and a hat-box.

GEORGE FREDERICK LAMBERT. I am in the service of Mr. Burgess, a pawnbroker, in Long Acre. On Monday, the 23rd of December, about eleven o'clock, the prisoner came and offered a gold chain, two brooches, and two rings in pledge—I asked her whose property they were—she selected a fine gold neck-chain and a lady's chain, and said that was the property of her husband—that excited my suspicion—I detained her for an hour—the policeman then came round with a description of the property, and I gave her in charge, finding the articles were named in the list he produced.

WILLIAM HOLDER. I am a policeman. On Monday morning, the 23rd of December, in consequence of information, I went to the pawnbroker's, and among others to Mr. Burgess, and produced a list of the articles stolen—I found the prisoner in the shop, and took her into custody.

THOMAS POCOCK. I am a police-sergeant. I went to Mrs. Cornish's, in Bedfordbury, and found some articles of wearing apparel, which I produce—they correspond with the articles in the list.

FRANCES CORNISH. I am a laundress, and live in Bedfordbury. On Sunday afternoon, the 22nd of December, the prisoner came to me to ask for a lodging for the night, saying she had just arrived from Norfolk—she was to sleep with me—she went away and brought some bundles, and on Monday morning she gave me some linen to wash—I was doing it when the policeman came, and he took away the bundle which she brought.

ANN CLARK. I am employed at Bow-street to search female prisoners—I searched the prisoner, and found a diamond ring, and an emerald ring in her pocket, also four sovereigns and eight shillings—I took from her person various articles of dress, which the prosecutrix claimed.

(*Property produced and sworn to.*)

(*James Fowler, who was bound over to prove the previous conviction, did not appear.*)

GUILTY of the Felony. Aged 22.—Transported for Fifteen Years.

Before Mr. Justice Erskine.

539. ELLEN JOHNSON was indicted for unlawfully, maliciously, and feloniously assaulting Charles Kingsbury, on the 25th of December, and stabbing and cutting him in and upon his right arm, with intent to maim and disable him.—2nd COUNT, stating her intent to be to do him some grievous bodily harm.

CHARLES KINGSBURY. I keep the King's Arms public-house, Kent-street, in the Borough. On the 25th of December the prisoner came to my house between eight and nine o'clock—there was another woman in the house, but I do not know her name—the prisoner was quarrelling with a man named Reuben Walker, about a quarter of an hour after she came in—I went into the tap-room, and desired her to be peaceable, or I would put her out of the house—I put her back from Walker for a few minutes—I had only put her back to another part of the tap-room—I returned to the bar—she began quarrelling again with the same person—I went into the tap-room, and desired her to be quiet—she would not—she was quarrelling and abusing the people—I said I would not have any body in the place interrupted, and told her to be quiet—she was rather abusive

then—I did not particularly hear what she was saying—I then put her out of the house—I went in behind her, put my arms round her, lifted her off the ground, and carried her out at the door, and when she got outside she stabbed me on the arm—I was just that instant letting go of her—I cannot say what she struck me with—I did not see any thing in her hand—I felt a blow, but could not feel that I was cut at the time—when I held my arm down I felt something running very warm down my hand, and saw it was blood—I had not struck her at all before she struck me—when I saw the blood I said, "Stop her, she has cut me," and gave her in charge of the policeman, who was just coming towards the house on his duty—I do not know whether she said any thing, for I went to a chemist's shop close by—my arm was bleeding very fast—it was cut about an inch in length, just above the wrist—I saw her afterwards at the station-house.

Reuben Walker. I am a cow-keeper, and live in Griffin-yard, Church-street, Borough. On the 25th of December I went into Kingsbury's public-house between eight and nine o'clock—the prisoner followed me in—I did not know her before—I was lighting my pipe at the gas over my head, and she threw an old bonnet at it, which caused the pipe to break, and the lighted paper to fall on my head—she began to swear and quarrel—I had done nothing to her—she immediately struck me two or three times—I told her to be quiet and to sit down, or to go out of the house—she would not—the landlord came and caught hold of her, and put her out of the house—immediately after he got into the bar, she returned, and struck me as many as half-a-dozen times—she stood before me, and said she had not had a fair cut at me yet—she stood with her right hand in her bosom—the landlord came and caught hold of her round the waist—his catching hold of her drew her hand out, and I saw a small penknife open—I could see no handle at all, only the blade—she had it between her thumb and finger—I did not see any more—I did not follow them out of the tap-room—I had not struck her at all, nor held up my arm to strike her, nor did any other person in my presence.

William Ross. I am a policeman. I was on duty in Kent-street on the 25th of December—I saw Mr. Kingsbury outside his house, with his arm bleeding—the prisoner was just coming out of the house after him—I did not see him have hold of her at all—his arm was bleeding when I first saw him—I took the prisoner into custody—I did not find any thing on her—I saw nothing in her hand, and saw nothing of a knife afterwards—I took her to the station-house—I have Mr. Kingsbury's coat here—there is a cut in the right sleeve, and a corresponding cut on the shirt—the shirt was given to me on the Monday morning, but I saw it at the time—the blood was all wet then, as if fresh, and I saw the cut on the arm—it was then bleeding—I saw no blood on the prisoner.

John Thomas Newbury. I am a student at Guy's Hospital. On the 25th of December I was assistant to Mr. Odling, of High-street, Borough—I saw Kingsbury about nine o'clock that day in Mr. Odling's shop—I examined his right arm—he had a wound about an inch long on the back part of the fore-arm—I did not probe it—it appeared deep, and to have been inflicted with a small instrument, not very sharp—it might have been inflicted by a small penknife—it was not bleeding at that time—it appeared to have been inflicted a few minutes before—he appeared very faint.

Prisoner's Defence. I was very tipsy, and do not recollect any thing

about the knife—it is a thing I never carry about with me—I am very sorry—I never had a *row* since I have used his house.

GUILTY of an Assault only. Aged 24.—Confined Twelve Months.

Before Mr. Sergeant Arabin.

540. THOMAS WALPOLE was indicted for stealing, on the 3rd of December, 1 sovereign, 4 half-crowns, 23 shillings, 20 pence, and 16 half-pence, the monies of John Gurney Kelly Burt, his master; to which he pleaded

GUILTY. Aged 13.—Transported for Seven Years.

Before Mr. Common Sergeant.

541. MARY SIMS was indicted for a misdemeanor.

MR. DOANE *conducted the Prosecution.*

ANN RIVERS. I am the wife of John Henry Rivers, who keeps the Fox and Hounds public-house, Gilbert-street, Southwark-bridge. On the 17th of December, between five and six o'clock, the prisoner came for a pint of porter—I served her—she gave me a bad shilling, but I did not see that it was bad then—I gave her change, and put the shilling into the till, where there was no other—I went to the till in the course of a quarter of an hour, took out the shilling, and found it was bad—I placed it on the bar-parlour mantle-piece, under the foot of the looking-glass—it remained there till the evening of the 26th, when my husband gave me a bad shilling which he had just taken—I marked that, and the one I had taken of the prisoner on the 17th—I gave them to the policeman—these are them—(*looking at them*)—this is the one I took on the 17th.

JOHN HENRY RIVERS. I am the witness's husband. On the 26th of December the prisoner came for a pint of porter—she gave me a counterfeit shilling—I turned round to my wife, and called her attention to the prisoner, as she had been to the house previously—I then said, "You are very well aware what you gave me; it is a bad shilling"—she said, "A bad shilling? it is not a bad one"—I turned to my wife, and said, "Is not this the party that passed a bad shilling to you?"—she said it was—the prisoner denied it—I sent for the policeman, and gave her in charge—I gave the shilling to my wife—she marked it, and gave that and the other to the policeman.

THOMAS CURTIS. I am bar-man to Mr. Surr, who keeps the Monument public-house in Union-street, Southwark. On the 24th of December the prisoner came for a quartern of gin—she gave me a shilling, and I gave her change—I found the shilling was bad before I put it into the till, but the prisoner was out of sight by that time—I put the shilling on a cordial cask, and afterwards marked it, and gave it to the officer—on the 26th she came again for a pint of beer—she gave me a bad shilling—I said it was bad—she took it, and went away.

GEORGE STEVENSON, (*police-constable M* 55.) On the 26th of December, I was called into the Fox and Hounds public-house—I received two bad shillings from Mr. Rivers—I took the prisoner, and found on her a sixpence and a penny-piece—I went last Friday to the Monument public-house, and received this other shilling from Curtis.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint. These three shillings are all counterfeit.

Prisoner's Defence. I had not a bit of food for myself or my child, and

on boxing-day I pledged for 4*s*., and one of the shillings I took of the pawnbroker I offered to Mr. Rivers—the first shilling I did not pass.

GUILTY. Aged 30.—Confined Six Months.

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542. ELIZABETH MORGAN and ANN PERRY were indicted for stealing, on the 27th of December, 1 cloth cap, value 1*s*., the goods of William James Gapper: 7 yards of ribbon, value 3*s*. 9*d*.; ½ of a yard of velvet, value 6*d*.; ¼ a yard of silk, value 1*s*.; 2 artificial flowers, value 2*s*.; 1 tea-pot, value 9*d*.; and ½ a yard of woollen cloth, value 1*s*.; the goods of William Best Gapper, the master of Morgan.

WILLIAM BEST GAPPER. I live in Alfred-place, Waterloo-road, Lambeth; my wife is a milliner and dress-maker. I wanted a servant, and put a notice in the window—the prisoner Morgan came and said she had a niece coming from Monmouthshire—she wished her to come to me, and if I would take her she would write for her to come—she spoke of a Mr. Berryman, a builder, in Vine-street, who knew her, and she said if her niece *did* not come, she herself would come on the Christmas-day, as I was about having my family to see me—on Tuesday evening, the 24th of December, Morgan came, and continued in my service till I gave her in charge on the 27th—when she had got drunk, and put my house into confusion,—my wife was about discharging her, when a shift dropped from her person, but I was not present—Perry came on the morning of the 28th—I had given my son directions to detain her—he bolted and locked the door, and called me—I came down, and asked what she wanted—she said she wanted to see Miss Elizabeth Morgan—I accused her of having been at my house on the morning before, and purloining things—she said she had not, but she had come about a letter—I got a policeman, and went to No. 7, Peter's-lane, Cow-cross—we there found a person who said he was Perry's husband—I found there this tea-pot, my son's cap, and the other articles stated in the indictment, which I can swear to.

Cross-examined by MR. BEST. *Q.* You knew nothing of Morgan before? *A.* Not till she called at my house seven or eight days before the 24th.

SUSANNAH MURPIN. I work for Mrs. Gapper. I was going to work a little before nine o'clock in the morning, on the 27th of December, and saw Perry coming out of Mrs. Gapper's, she appeared to be quite loaded, but she had a cloak on—I know this little boy's cap.

Cross-examined. *Q.* What sort of a morning was it? *A.* A wet morning.

WILLIAM JAMES GAPPER. I was in the kitchen on the evening of the 27th of December, and saw the shift drop from Morgan's petticoats behind her—I took it to my mamma—she said it was hers, and she could swear to it—this is the shift—here is the mark, "E. Gapper" on it, in my father's writing—the next morning I answered the door, and Perry came in, and asked for Miss Morgan—I said, "Will you walk in, I will go and tell her"—I bolted the door, then went and told my father—he came down, and asked whether she was any relation to Morgan—she said no at first, and then she said she was her sister—she was then given in charge.

JOSEPH RANDLE (*police-constable L* 30.) I was called to Mr. Gapper's on the morning of the 28th—I took Perry—she gave her address, No. 7, Peter's-lane—I went there, and found this tea-pot, the boy's cap, and some other things, and part of this property was found on Morgan by Bartlett

Cross-examined. *Q.* Where was the property? *A.* The cap and tea-pot were on the table—this ribbon and this silk was wrapped up in paper—they were not concealed.

THOMAS BARTLETT (*police-constable L* 148.) I have a handkerchie and some silk which Morgan produced from her person when she was taken and which the prosecutor identified.

Cross-examined. *Q.* Did you take them? *A.* No—I asked what she had about her, and she produced this property from different parts of her dress.

MR. BEST *called*

—— BURNS. I am resident apothecary of St. Luke's Hospital. Morgan has been under my care there six times as a patient in the hospital—from what I saw of her I believe there were times when she was not capable of distinguishing right from wrong—she was discharged last in October.

MORGAN—NOT GUILTY, believing her to be insane at the time of committing the offence.

PERRY—NOT GUILTY.

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543. JOHN KELLY was indicted for stealing, on the 2nd of January, 1 connecting-chain, value 12*s.*; 1 shackle, value 1*s.*; and 1 iron bolt, value 4*d.*; the goods of the London and South Western Railway Company, his masters.

JAMES RUTHERFORD. I am smiths' foreman to the London and South Western Railway Company. I do not know that we have lost any iron in particular—this chain, shackle, and bolt are similar to what we use, but I suppose other railroads use the same sort of things—the prisoner was employed by our Company up to the day he was taken.

THOMAS EMMERSON (*police-sergeant V* 16.) The prisoner passed me between six and seven o'clock on the 2nd of January at Nine Elms, near the railway turning—I saw he had something very heavy on his shoulder—I followed him to Vauxhall-road, and asked him what he had got—he said, "A piece of wood"—I said, "I must look at it"—he said, "No, for G—'s sake don't look," and he tried to get away—I found he had this iron in a basket—I took him—he told me he worked on the railway—I said, "Does this belong to the Railway Company?"—he said it did—I heard him say before the Magistrate, "It does belong to the Company; I am very sorry for what I have done."

GUILTY. Aged 30.—Confined Three Months.

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544. SARAH FOOT was indicted for stealing, on the 2nd of December, 1 veil, value 30*s.*, the goods of Thomas Irving; to which she pleaded

GUILTY. Aged 20.—Confined Three Months.

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545. JANE ANDERSON was indicted for stealing, on the 26th of December, 1 gown, value 16*s.*; 1 cloak, value 1*l.*; 2 pairs of boots, value 10*s.*; 1 pair of shoes, value 4*s.*; 1 necklace, value 5*s.*; 1 bonnet, value 8*s.*; 1 waist-buckle, value 5*s.*; 1 purse, value 1*s.*; 4 spoons, value 15*s.*; 1 sheet, value 7*s.*; 1 pillow-case, value 6*d.*; and 1 towel, value 1*s.*; the goods of Thomas Soulby, her master.

THOMAS SOULBY. I live in William-street, Waterloo-road—the prisoner was in my service. On Christmas evening I went to bed about eleven o'clock—I laid the key of my street-door on the mantel-piece in the chamber—I had some silver spoons that evening—I put them into the tea-caddy—the gown, the cloak, and the other things mentioned in the indictment

were all safely locked up in the kitchen, and the key of the kitchen was on the mantle-piece in the chamber with the key of the street-door—about five o'clock in the morning I was alarmed by Mrs. Saidler, a lodger—I got out of bed, and found my chamber-door was locked—I was locked in—my wife opened the window, and called "Police"—I missed the keys from off the mantle-piece—the policeman got in at the front window, came up stairs, and let me out—I went down, and found the kitchen-door open—I walked in, and found all the boxes open, and the drawers—I was astonished how they had got open, because I saw they were not forced—I then looked into the caddy, and saw that had been forced—the spoons and a pair of plated nut-crackers were gone—I went up stairs, and found the first-floor doors were locked—the prisoner was gone, and all the articles stated—I have found nothing but these keys, these sheets, pillow-case, and towels.

Prisoner. They were in the pawn-shop from Christmas-eve—a person sent me to pawn them.

LOUISA SOULBY. I went to bed on Christmas evening—the prisoner came up, and unfastened my dress, and left me—I cannot tell when these sheets and pillow-cases were safe—they had been kept with other linen, and I cannot say when they were taken—on the Christmas night, when the keys were taken, only my husband and I and Mrs. Saidler and the prisoner were in the house.

Prisoner. *Q.* Did you not leave me the key of the kitchen-door in my own room every night? *A.* I did sometimes leave the kitchen-key with the prisoner, but I did not that night.

COURT. *Q.* You lost a dress, a cloak, and spoons? *A.* Yes, and I saw them all safe on Christmas afternoon.

HARRIET SAIDLER. I am the wife of William Saidler, he is in Wales. I lodge at the prosecutor's—I was awoke about ten minutes before three o'clock in the morning of the 26th of December, by the prisoner, or some person opening her bed-room—I heard them walk down stairs, and lock or unlock the kitchen-door, and from out of the kitchen they went and opened the street-door—I heard the voice of a man say, "Is all right?"—the prisoner, or some female, said "Yes," and they went down into the kitchen—I dared not to say any thing till all was quiet, and then I gave an alarm to the landlord.

Prisoner. *Q.* Did you see me, or hear me go out of the house? *A.* I heard some person go out of your room, and some person go up and down stairs, and some person speak to a man—I gave the alarm about half-past four o'clock.

JURY. *Q.* Did you hear the street-door close? *A.* Yes, twice, and I heard footsteps going to her room twice—I was in the front-parlour—I dared not give an alarm till I heard all was quiet.

WILLIAM COCKRILL (*police-constable L* 108.) At a quarter-past five o'clock in the morning I was opposite the Victoria Theatre, and met the prisoner with two bonnets on her head, and a bundle under her arm—I said, "What have you got on your head, two bonnets?"—she said, "I know I have—I am going to fetch my mistress home"—I said, "What have you got under your arm?"—she said, "My young mistress's cloak, her dress, her snow-boots, and soled boots," the story was so straightforward, that I let her go, thinking it might be so, it being Christmas night—she said her young mistress was dancing in pumps—I turned my light

on the articles, and found they were what she had described—I then went on, and went down William-street, and heard the cry of "Police"—I saw Mrs. Soulby crying "Police"—I called an officer, and we got into the house, and found the place ransacked—the door of the servant's bed-room was locked—we broke it open, and there was a candle burning in the fire-place—in searching the prisoner's bed I found this pocket, concealed between the bed and the mattress, it contained the purse, which had been taken out of Mrs. Soulby's bed-room.

Prisoner. I could not say my mistress was out dancing, when she had a house of ill fame to attend to—I never saw a policeman, nor opened my lips to any one. *Witness.* I have not the least doubt of her person—she spoke with a broad Scotch accent, just as she does now—I was at Union-hall on another charge, and saw her and recognized her directly—here is the tea-caddy, which had been broken open, and out of it the keys of the drawers and boxes were taken—the prisoner had returned to the house in the morning, and let herself in with the street-door key, and she had the other keys hanging on her thumb.

LOUISA SOULBY *re-examined.* Yes, she came in the morning, and let herself in—I was coming up the kitchen stairs, and she had this bunch of keys in her hand—the things she had when the policemen met her, were mine.

JAMES HELLYER (*police-constable L* 131.) I received charge of the prisoner when she came to the prosecutor's house in the morning—I did not search her at the time, but when she was locked up I found a green silk purse, and I asked the prisoner if it was hers—she said, "Yes,"—I said she should have it another time"—she then said, no, hers was a brown silk purse—I found in it three duplicates of some of this property, which was pawned.

Prisoner. I never saw the silver spoons. On Christmas morning Saidler was not timid at letting four men in at her window, and I wonder she should be timid at letting Mr. Soulby know.

HARRIET SAIDLER *re-examined.* I did not—I never had but one gentleman to see me, and that was my friend.

Prisoner's Defence. I know nothing of the property—I had nothing on me, nor in my possession—I cast myself on the mercy of the Court—it is my misfortune that the first situation I got in England proved to be a brothel—Saidler has been on the town these seven years, and Soulby knows that they send gin and brandy into the parlour, and get a profit by it—I came from Edinburgh on the 21st of September.

GUILTY. Aged 19.—*Recommended to mercy by the Prosecutor.*—Transported for Seven Years.

ADJOURNED TO MONDAY, FEBRUARY 3RD, 1840.

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W. Tyler, Printer, 5, Bolt-court, London.

CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. FOURTH SESSION.

A star (*) denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk (†) that a prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, February 3rd*, 1840.

First Jury, before Mr. Recorder.

546. THOMAS SPICER was indicted for wilful and corrupt perjury.

MR. CLARKSON *conducted the Prosecution.*

THOMAS MOUNTAIN. I am clerk in the office of Mr. Burchell, the agent for the under Sheriff of Middlesex—I produce the record of the writ of trial of Harris and Pridmore—I have seen the defendant examined as a witness in the Sheriffs' Court—I remember the trial in question—he was examined on that trial, I administered the oath to him first—he was called on the part of the defendant—the action was tried before Mr. Burchell, who acts as agent to the under Sheriff of Middlesex, and tries the causes referred to the Sheriff.

Cross-examined by MR. PHILLIPS. *Q.* Were you present at the trial? *A.* Yes, as an officer of the Court—I heard the defendant examined and cross-examined—Mr. Thomas was counsel for the defendant—Mr. Burton appeared for the plaintiff—he cross-examined the prisoner, I believe.

Q. Do you remember Mr. Burton asking Spicer whether he would swear positively that the plaintiff was the man, and his saying, "To the best of my belief he is?" *A.* I think Spicer pointed out the plaintiff in Court—he pointed out the man—I cannot say that I heard him say he tendered the money to that man to the best of his belief—I did not pay particular attention to the cause—he may have said so—I believe Mr. Burton cross-examined him—I cannot say he did not say "To the best of his belief"—he may have said so.

MR. CLARKSON. *Q.* Do you recollect to have heard any such thing from him? *A.* I do not. (*The record was here read—The action was brought for 20l., for the occupation of certain rooms and premises; to which there was a plea, that the amount due was but 2l. 18s.; which sum, before the commencement of the action, on the 13th of September*, 1839, *had been tendered, to the plaintiff, and was refused.*")

JAMES BURCHELL, ESQ. I act as deputy to the Sheriff of Middlesex, for the trial of issues directed by the Courts at Westminster—I have been in the habit of doing so since the passing of the Act of Parliament—the terms of my appointment to the office of the Sheriff are in writing, the office has the custody of them—there is no deed of appointment, nor any instrument executed by the Sheriff that I am aware of—I acted as the

Sheriff's deputy, on the trial of the action of Harris and Pridmore—I presided as Judge, and deputy of the Sheriff on that trial.

Cross-examined by MR. PHILLIPS. *Q.* Would you have acted at all, except from the memorandum you speak of? *A.* Yes, I should—the memorandum is the terms on which I act—there is no written appointment—I am certain there is no deed of appointment—the memorandum is merely the terms—that is all there is in writing—I took notes as Judge in the cause.

MR. CLARKSON. *Q.* Have you a note of the trial? *A.* I have—Mr. Thomas was counsel for the defendant in the cause, and an attorney appeared for the plaintiff—the verdict was for the defendant—I remember Spicer being called as a witness for the defence—I have a note of what I took of his evidence—I only take what in my judgment is materially relative to the issue—I have taken him to say—(*reads*)—"He lived at No. 28, Tower-street, is a collector of rents and debts—on the 15th of August he went to No. 7, Percy-street with money—he saw the plaintiff, and gave him a paper—that the plaintiff said the account was right—that the witness pulled out of his pocket 2*l.* 18*s.*, and counted it into his (the witness) hand, and offered it to the plaintiff, who refused to take it, and said it was not sufficient—on his cross-examination he said it was about four o'clock in the afternoon—it took place in the passage by the front door—that the plaintiff opened the door on his (the witness) knocking—that he went by direction of Mr. Wood, who is an attorney."

Q. Do you remember the plaintiff being at the time in Court? *A.* I do not—I cannot recollect whether any body was produced and identified by the witness—I cannot tell either one way or the other—it is probable it might not have been on my note if it happened.

Cross-examined by MR. PHILLIPS. *Q.* Do you remember the witness Spicer being cross-examined as to whether he would swear positively to the plaintiff, and answering, "To the best of my belief he is—I never saw him before?" *A.* I cannot charge my memory with any thing beyond what is in my notes—he might have said, to the best of his belief, but I should not have taken down an answer that he said the plaintiff was the man if he had made it with that qualification, but he might have made it afterwards—it might have been said on cross-examination—I do not take down cross-examinations at length—he might have given that qualified answer, and I not have taken it down.

MR. CLARKSON. *Q.* You are aware that a personal tender is necessary? *A.* Certainly.

Q. You say you take down what is material to the issue; if there had been any hesitation on the part of the witness as to who he made the tender, is there any doubt you should have taken it? *A.* I think I should have taken it—I have it positively here in the examination in chief—I think if he had qualified his answer on cross-examination I should have taken it down, as I should have been obliged to put that to the Jury on summing up.

MR. THOMAS. *Q.* Have you read the whole of your notes of the defendant's evidence? *A.* Yes—a witness named Harrison was examined—I am not aware that the 2*l.* 18*s.* was paid into Court—that would appear on the record—Harrison was called for the defence—no other witnesses were examined for the defence—some of the witnesses were recalled.

Q. Do you recollect Spicer saying that he could not swear to the fea-

tures of the man? *A.* I cannot charge my memory with it—I have a sort of recollection that there was a question whether the plaintiff was in Court or not, but whether he was pointed out I cannot say—I do not remember a full-faced man sitting under you—the Sheriffs' names are William Evans, and John Wheelton.

THOMAS STACKHOUSE BURTON. I am the attorney for this prosecution, and was attorney in the cause of Harris and Pridmore.

Cross-examined by MR. THOMAS. *Q.* Do you recollect during Spicer's examination that the plaintiff sat down underneath me at the table? *A.* He sat by my side, underneath you—you desired the plaintiff to stand up, and then you asked Spicer whether the plaintiff was the person to whom he tendered the money—he answered that he was—I cross-examined him.

Q. In answer to a question from you, did not he say he could not describe his features? *A.* No—I put no such question—I have no recollection of his saying he could not have described his features, had he been *questioned* about them.

Q. Did not he, in answer to your question, say, "I will not swear, I believe that is the man?" *A.* My belief is that he did not—I could not undertake to swear to every word that came from him—I was very much engaged in the cause—I was taken by surprise by the witness—the plea of tender was on the record, but I did not expect it would be proved by anybody, because my client had told me no tender had been made—I have no recollection or belief of his saying the person to whom he tendered the money was very like the plaintiff—I will not swear he did not say so, but, to the best of my belief, he did not—I asked him if he had been pointed out since he had been in Court—he said no, he had not, except by hearing his name mentioned—he said he had never seen him before the 15th—I have no recollection whether he said he had never seen him since—I do not recollect whether I asked the question—I do not recollect whether or not I asked him if he had seen him more than once—I do not recollect his saying he would not swear to the man, but he believed he was the man; nor do I believe he said so—my impression is that he said positively he was the man—that is my belief—I believe he said positively Mr. Harris was the person to whom he tendered the money.

SAMUEL STONE. On the 5th of December I was clerk to Hodgson and Burton—I am now in the service of Mr. Sandell, of Bread-street. I *attended* as clerk to Messrs. Hodgson and Burton on the trial of Harris and Pridmore—I recollect the defendant—I have the notes I took of the evidence given by him in Court—I only took his cross-examination—I remember his examination in chief partially—he stated in chief, that on the 15th of August he was desired by Mr. Wood to go to the plaintiff's house and tender the money; that he went to Mr. Harris's house, knocked at the door; the door was opened by Harris; there was nobody present but themselves; he said he had brought a bill, and came to pay some money to him, and pulled it out of his pocket; that he counted 2*l.* 18*s.* into his hand, and tendered it to Mr. Harris, and Mr. Harris said it was not sufficient, and that he asked no other question—Mr. Burton cross-examined him, and I took down the substance of what he said as well as I could—(*reads*)—"He said he never saw the plaintiff till the day he made the tender; that it was on the 15th of August, about four o'clock in the afternoon, and that nobody was present; he knocked at the door, and it was opened by the plaintiff; he said he had come to deliver a bill for the defendant, and to

pay him some rent, and the plaintiff said it was not sufficient; the plaintiff asked no other question; he never saw Mrs. Pridmore in his life; he said he called at Mr. Collier's office when Mr. Wood desired him to make the tender—Mr. Wood is attorney for Collier—he said, 'I wish you to call and pay this money'—he never saw the plaintiff before"—he was desired by the learned counsel or Mr. Wood to contradict it, saying it was the clerk directed him to pay the money, not Mr. Collier's clerk—I saw Mr. Wood at the time—he was asked if he should know Mr. Harris if he saw him, and Mr. Harris was desired to stand up in Court—I am not quite sure whether it was Mr. Burton or Mr. Thomas that desired him to stand up—on his standing up, he said directly, "Yes, that is the man I tendered the money to"—he did not express any doubt of it at all—he was asked that question again, and the under Sheriff said, "He has already sworn to that fact"—I was at the Court of Queen's Bench on Friday night last, and obtained a rule absolute for a new trial of this cause.

Cross-examined by MR. THOMAS. *Q.* Did you hear Spicer, in answer to a question from Mr. Burton, say he could not have described the man's features? *A.* I do not recollect it, nor that he would not positively swear, but he believed that was the man—I do not recollect any such answer, nor any question to cause such an answer—I was there all the time—I am not aware whether Mr. Burton asked him if he had ever seen him before the day of the tender, but he said he had never seen him—I do not remember whether Mr. Burton asked him if he could swear positively to him—I should recollect it if I did hear it—I was very careful in taking down my notes, expecting I might be called on hereafter to prove them—I thought so at the time—I thought it possible—I took as full a note as I could—I will not swear that answer was not given, but it was not to my recollection—I was in the Court a few minutes after the trial—I did not hear Mr. Harris say he was at Gravesend at that time—I have Mr. Harrison's evidence here—I did not take a very full note of his evidence, it was principally Spicer's—I did not think it necessary to take much of Harrison's evidence—I did not think it likely I should be called to prove Harrison's evidence—I thought I should probably be called about Spicer, after hearing what he was swearing—I was directed, before he was examined, to take his examination as near as I possibly could—I was also directed to take Harrison's, but to be more particular with Spicer than Harrison—I took the notes at the time on the back of the copy of a notice we were going to produce in Court.

JOHN HARGRAVE HODSON. I am articled clerk in the office of Hodgson and Burton. I attended at the Rule-office, and received this rule—(*this rule directed the verdict to be set aside, and a new trial had.*)

Cross-examined by MR. THOMAS. *Q.* Were you in Court when the rule was made absolute? *A.* I was not.

CHARLES ROBERT HARRIS. I am the prosecutor of this indictment. I was plaintiff in the cause of Harris against Pridmore, which was tried before the under Sheriff on the 5th of December—I was present when the defendant was called as a witness—I never, to my knowledge, saw him before that occasion—I did not open the door to him at my house, in Percy-street, on the 15th of August last—I did not see him on that day—he did not put any bill into my hand of work done by Mr. Pridmore for me—he never, at that time or any other, tendered me any money—no

body ever tendered me 2*l.* 18*s.*, or any other sum, in this cause—he did not count out any money before me, or offer it to me—I never refused to the prisoner or any other person any sum of money in the cause, saying it was not sufficient—if it had been tendered, most likely I should have taken it —on Saturday afternoon, the 10th of August, I went down to Gravesend to my family, who were there—I returned on Monday afternoon, and when I got home a message was left that two men who were at work at Mr. Crawley's, at Highgate, had struck for wages—on the following morning, Tuesday, the 13th, I went to my foreman, who was at work with some other men in Park-street, at the house of Mr. Basset—I consulted him on the best thing to be done, and went up to Mr. Crawley's, at Highgate—I came home about six or half-past six o'clock on the 13th—on the morning of the 14th I left at six o'clock, took on an extra man, and went up to Highgate—I started from Highgate at half-past six o'clock to walk home—I got home at nine o'clock—on Thursday morning, the 15th, I left my house at six o'clock, and walked to Highgate with the whole of my men—Henry Hall, one of them, came and called me up, and John Chapman accompanied me—I had left Mason, my apprentice, at Highgate the day before—I got home that evening at nine o'clock—I was not at home at four o'clock, or any thing like that, on the 15th.

Q. Were you at home at all at any time, to any person who knocked at the door and asked you for Mr. Harris, and you said you were Mr. Harris, and he then tendered you some money? *A.* No, never.

COURT. *Q.* Where were you on the 16th? *A.* I left my house at six o'clock in the morning, and went up to Mr. Crawley's—I started from there about seven and got home about nine o'clock—on Saturday, the 17th, I left Mr. Crawley's about two or half-past two o'clock, and went down to the steam-packet-office to meet my wife, to go to Gravesend—I returned on Monday morning—I left no one but my wife at home on these days—a Mr. Chambers lodged in the first floor, but he was in Holland the whole of that month.

Cross-examined by MR. THOMAS. *Q.* I understand you to say it was nine o'clock, on the 15th, when you got home from Highgate? *A.* About half-past eight, or nine o'clock—I may have said it was between eight and nine o'clock—I do not think I have said it was eight o'clock—I will swear I have not—it was near nine o'clock—nearer nine than eight o'clock, and it was near the same time on the 16th—I left Highgate at half-past six o'clock—I recollect the day of trial at the Sheriff's Court—I recollect standing up at your request—Spicer did not say, in answer to a question by Mr. Burton, that he would not swear positively that I was the person he tendered the money to—I understood him to swear that I was the person—distinctly and positively that I was the person—I swear that—he was asked whether he had ever seen me before, and he said that he saw me on that day, but never before—he was asked whether he had ever seen me since, and he said, "No, not until I saw him in court; he was pointed out to me in the court by some gentleman"—I have a distinct recollection that that was his answer—he did not say I had never been pointed out—Mr. Burton asked him whether he would swear positively I was the person to whom he tendered the money, and Mr. Burchell said he had already sworn to that fact—I swear that he swore positively I was the man—I did not have any conversation with any of the parties in the cause after I left the Court.

Q. Did you say, while you remained in or about the court, that you knew he had spoken untruly, because you were at Gravesend that day? *A.* I do not recollect saying I was at Gravesend that day—I said to Mr. Wood, I believe, that he (Spicer) had committed perjury, and I thought he had conspired to do so, and if I could bring it home I would—I might have said I was at Gravesend that day—I will not say whether I did or not—I was in the habit of going to Gravesend on Wednesdays and returning on Thursdays—I will swear I did not say he had spoken falsely *because* I was at Gravesend that day—I do not recollect making any observation about Gravesend at all—I might have said I was at Gravesend that day, but not that he had spoken falsely *because* I was there that day.

Q. Did you say you knew he had spoken falsely, *for* you were at Gravesend on that 15th of August, or words to that effect? *A.* I will not swear that—I will not swear whether I did or did not—I might have been at Gravesend that day, because I was in the habit of going down occasionally on Wednesday and returning on Thursday—I had a recollection, while at the Court, that such might have been the case, and I might have said so—I had a recollection that I went down occasionally, and it might have been that day—I will not say whether or not I said I was at Gravesend on the 15th—I do not recollect whether or not I said anything about Gravesend—I said if there was a possibility of bringing it home, as the man had perjured himself, I certainly would do it.

Q. Had Mrs. Pridmore offered you the money for this rent before she left? *A.* No—that I swear—she never tendered me any money since she paid me the last quarter's rent—she did not give me notice to quit—I gave her notice—she quitted before the quarter day—she had given me a verbal notice three quarters of a year before—she gave me notice, about Christmas, that she intended to go in March—she might have gone if she pleased—I did not care whether she went or stopped—she was ill at the time that quarter expired—I did not say, as she was ill I would not turn her out, and she might remain in—I swear that—she remained till the quarter afterwards—I might have told her she might remain as she was ill—I will not swear whether I did or not—very probably I did, but I do not recollect—I must have given her leave to stop, but I do not recollect having any conversation with her about it—I did not give her leave to pay by the week or month, and go when she was well—I never gave her leave to go when she liked—I do not recollect whether I agreed to take such rent as should accrue due for the time that she remained—she paid the March quarter, and the next to that—the 2*l.* 18*s.* paid into Court was for the time after that—it ought to have been paid up to September—the sum due was 7*l.* 10*s.*—I claimed a quarter—I do not know that my solicitor has taken the money out of Court that was paid in—I do not know whether Mrs. Pridmore was ill at the end of the June quarter—I very seldom saw her—she did not before she left offer to pay me the money due for the time she had been there, nor did any one—I swear that.

COURT. *Q.* Would the 2*l.* 18*s.* have been the fractional sum, provided she had been allowed to go away in the middle of the quarter? *A.* It should have been 3*l.* 15*s.*, but there was a set-off of 15*s.*

AMOS HALL. I am a plumber, painter, and glazier. In August last I was working for Mr. Harris, at Mr. Crawley's, at Highgate—we were working there on Thursday the 15th—Mr. Harris was with me—he remained there the whole day down to six o'clock—I came to town every day—I

started for Highgate at half-past six o'clock as near as possible with my master—I sent to his house for him to call at my place, and we went together—I was working there the day before, (Wednesday) and on Friday and Saturday, and for a week after.

Cross-examined by MR. THOMAS. *Q.* How do you recollect the day of the month? *A.* I took on a man on Wednesday on purpose to go down to that job—we went down on the 14th—I finished a job in the park on the 12th—I am a journeyman, and do work for myself as well—I keep a book of dates—I have not got it with me—I have not been refreshing my memory from that book—I remember the case perfectly well—I have seen the book since this matter has been going on, for I have entered things in it—I do not recollect whether I have referred to these dates—I have referred to the book—it was by referring that I ascertained these dates, but I have a bill which will prove it—it is not in my own hand-writing.

MR. CLARKSON. *Q.* Where do you live? *A.* At No. 33, John-street, Tottenham Court-road—it would take me half or three-quarters of an hour to fetch my book—I finished a plumbing job for Mr. Harris on Monday the 12th—I recollect that perfectly without the book, and I went to Highgate on the Wednesday—I am positive of that—I went down on a plate-glass van belonging to Mr. Varney—a journeyman, named Bevis, Mason, the apprentice, John Chapman, and my brother Henry went with me.

MR. THOMAS. *Q.* Were you at the trial? *A.* I was there, but I was not called—I was not spoken to at that time about where I was on these days—my master did not say any thing to me—I did not hear him say he was at Gravesend on the 15th of August—I know he was not—I did not hear him say he believed he was at Gravesend—I did not say any thing to Mr. Harris about the 15th of August on the day of the trial, nor to Mr. Burton, or any body—I did not then recollect where I had been on the 15th—I did not think of it—I heard the evidence given in the cause—I was in Court all the time—I cannot tell how soon after that I heard of the date—it might be a fortnight after, or less—I did not mention to any body that it was the 15th—I mentioned it to my brother—I do not know when it first came to my mind that I was at Highgate on the 15th—I was not directed to look at my book—I looked at my papers—I do not know that I did at the book—I have looked at the book several times, but not to ascertain the date—here are my papers that will prove it.

MR. CLARKSON. *Q.* Did you go over the house of Mr. Harris after Pridmore had left it? *A.* I was in the house, I saw the state it was in as to dilapidation—that was the reason I was brought to the Sheriff's Court.

HENRY HALL. I am a painter, and am brother of the last witness. I was at work for Mr. Harris, at the house of Mr. Crawley, at Highgate, in August last, with my brother and some more men, and my master—I went on the job on Wednesday, the 14th of August—I went from London every day with my master, until Saturday morning—on Thursday morning, the 15th, we started at six o'clock, and came home at half-past six o'clock in the evening, together—we went up in a plate-glass van—we walked home—my master accompanied us part of the way home—he left us at Camden-town—I cannot say exactly at what time—I worked there on the 16th and 17th, as well.

Cross-examined by MR. THOMAS. *Q.* Till how late? *A.* Till half-past six o'clock at night—my master left before me on the 17th, but on the 15th we walked home together—I parted with him at Camden-town—

it would take about an hour to walk from there to Percy-street—I should think it was very near eight o'clock when we parted at Camden-town, half-past seven or eight o'clock—I do not keep any account of dates—I recollect that I went on the job on the 14th, because my brother was there, and he said it was on the 14th—that is the only way I recollect—I was in Court on the day of trial—I heard Mr. Burton cross-examine Spicer—he said that was Mr. Harris—I did not hear him say, in answer to Mr. Burton, that he would not swear positively, but he believed he was the man—I do not remember distinctly what I did hear.

MR. CLARKSON. *Q.* You were there to speak to the dilapidations? *A.* Yes.

JOHN CHAPMAN. I am a painter and glazier. I worked for Mr. Harris, in August last, at Mr. Crawley's, at Highgate—I do not know when the job began, I began on the 14th—I worked there about a fortnight altogether, or it might be more, I cannot say exactly—when I went from town, on the 14th, I went on a van, with Mr. Harris and several others—it was about seven o'clock when we got to Mr. Crawley's—I staid there till about half-past six or seven o'clock in the evening—Mr. Harris and several men came back with me—Mr. Harris was there the whole time—we walked home—on Thursday, the 15th, I think, I went about the same time—Mr. Harris called for me at No. 33, John-street, and we walked across the fields to Camden-town, and the circumstance of a dog there made me notice it more than any thing else—we came home about the same time that day—Mr. Harris accompanied us—he was there all the time—he was placing up some pillars the greater part of the day—he was working himself, and superintending the work—I went on Friday, but not with Mr. Harris—he was there that day at work—he came home on Friday about the same time as before—I do not think he could have been at his own house at four o'clock, on Wednesday, Thursday, Friday, or Saturday.

Q. Have you any means of fixing the date at all? *A.* I wrote a letter on the 13th, which I have not here now—I had been out of work for some time, and the day before I went to Highgate I wrote the letter.

Cross-examined by MR. THOMAS. *Q.* Do you say he could not have been at his house on the 15th, at four o'clock? *A.* I do not believe he could, for he was at Highgate all day, and with us, till very near eight o'clock at night, for he walked home with us, and left us at the Mother Red-cap public-house—by the time we got to the Mother Red-cap it was eight o'clock, I suppose—we left Highgate at very near seven o'clock—it might be half-past six o'clock—and the next day we left about the same time—he remained with us every day the first week I went to work—I cannot recollect whether he did afterwards, or not—I did not notice so much—he went away before us on the Saturday—at least he did not go away with us—I should say he might have left about four o'clock—it was nigher four than three o'clock—I was not in the Court on the day of the trial—my attention was first called to the date about a month ago, by Amos Hall—he told me Mr. Harris wanted to speak to me about what time I was at work at Highgate, and I went and spoke to Mr. Harris.

MR. CLARKSON. *Q.* Did you see Mr. Harris go away on the Saturday, or did you only know you went home without him? *A.* I know he did not come home with us—he brought us money on the Saturday morning—he went away about four o'clock—I did not see him after four, or between three and four o'clock.

GEORGE MASON. I am apprentice to Mr. Harris. I remember going to this job at Mr. Crawley's, at Highgate—I first went on Monday, the 12th I went in a plate-glass van, with several of the men and my master—I went up on Wednesday the 14th with my master—we started at six o'clock in the morning, and I remained at Highgate for a week—I saw my master there about eight o'clock on Thursday morning, the 15th, and he remained until past six o'clock—I saw him there as late as six o'clock—I do not remember whether I saw him there on Friday morning—I think I did—I cannot positively say.

Cross-examined by Mr. THOMAS. *Q.* You swear you saw him at Highgate at six o'clock in the evening of the 15th? *A.* Yes—I did not come home with him—I do not remember what time he remained the other days—I do not remember where he was the day before I went to the job—I believe he was at Gravesend on the Saturday evening—I do not recollect whether he was at home some days before I went to the job at Highgate.

MR. THOMAS *called*

CHARLES HARRISON. I am Mrs. Pridmore's brother, and am a tailor, residing in Poland-street, Oxford-street. Mr. Harris was on terms of friendship with me and Mr. Pridmore some short time ago, before my sister left, and before the action was brought—we were on visiting terms—I recollect his sending for me respecting my sister about the time she was going to leave—she had been ill for some time previous—I met Mr. Harris in Rathbone-place, with a friend of his—he said he wished to see me concerning my sister continuing in his house, as he was about to let the apartments—I said my sister would be glad to leave as soon as convenient—he said he wished me to communicate to her that she was perfectly at liberty to remain there as a weekly tenant until it was perfectly convenient for her to move, as he would be the last man in the world to take advantage of a female in the absence of her husband; he knew she was too unwell to be spoken to by him, and therefore he wished me to communicate it to her, and that all he expected was the rent to be paid up to the day she left, whether it was a fortnight, a month, or more—I was examined as a witness on the trial—I saw Mr. Harris there after the trial was over, and heard him say, "I will indict Spicer for perjury; I was at Gravesend at the time he says he called on me"—I did not hear Mr. Burton cross-examine Spicer—I was out of Court at the time.

MR. CLARKSON. *Q.* How long have you been a tailor? *A.* Perhaps two years—I never kept a shop, and was never apprenticed to any tailor—I never learnt the business—I learnt the cutting, of a person named Folkard, a master-tailor, who lived at No. 17, Henrietta-street, Cavendish-square, at that time—I was a publican previous to that, and before that I was valet to Lord William Lenox for ten years—I have a recommendation from his lordship now—I left him expressly to enter business as a publican—I was a publican about two years—I had two houses—the first was the Queen's Head public-house, in Little Pultney-street, where I staid seven months, I believe—I gave it up because it did not answer my purpose to remain—I then went to the Three Horse Shoes public-house, in Milford-lane—I was there about sixteen months—I left because it did not answer my purpose to remain—I left Lord Lenox in 1835, in March, 1836, I went to the Queen's Head public-house, and in February, 1837, I think, I took the Three Horse Shoes—I left there, I think, in February, 1839—I succeeded in business at the Queen's Head public-house—it was a very

good business, but I expected to do better by taking another house, and failed in the attempt—I did not succeed at the Three Horse Shoes—I have known Mr. Wood, I think, two or three years; not longer, I think—I did not know him when I was with Lord Lenox—I became acquainted with him in the first instance through Pridmore's business—he was engaged for Pridmore—I believe Mr. Wood was his man of business in any business he had to transact—he managed the business for an attorney, I understood, as managing clerk—I understood so from himself, a year ago last July.

Q. But you knew him two or three years ago? *A.* But I did not know how he was engaged in business, whether he was engaged for himself—I became intimately acquainted with him through Pridmore's business—I visited him—he lived in Chancery-lane—I have seen Mr. Collier, the attorney, very often at his office in Chancery-lane, where his name is over the door; at Collier and Wood's office—he is an old man—I do not know where he lives—I only know where he transacts his business—I am not aware whether he has any other clerk besides Mr. Wood—I have seen other persons there engaged in business—I am carrying on business as a master tailor now—my name is on the door—I am not the house keeper—I occupy the ground-floor—Mr. Cattermole is my landlord—he will give you every satisfaction—I cannot tell the date of my interview with Mr. Harris—it was the end of June, or beginning of July—perhaps Mr. Harris's friend could state that, but he will not—I do not suppose he would bring him forward against himself—I cannot state on what day of the week it was, but to the best of my belief it was on a Thursday—I was to meet him at his own house, and I have a witness in Court who took the message, (William Taylor, my foreman)—I was out at the time the message came—I went to his house—he was not at home—I left word I would call again at two o'clock, and on my way there I met him with a friend—Mr. Harris left his friend, crossed the road, shook hands with me, had the conversation relative to this business, shook hands again, and left—I communicated what had happened to my sister, Mrs. Pridmore, on the same day—I left Mr. Harris in Rathbone-place—he proceeded to Oxford-street, and I to Percy-street—his sister or the servant let me in—I went up stairs, saw my sister, and told her what had happened—my sister had three rooms there, two on the second-floor, and one above—I saw her in the bed-room, which is a small room on the left hand—her husband was engaged in the country at that period—there is a person called Mrs. Harris—I do not know whether she is the prosecutor's wife.

MARY PRIDMORE. I am now living in Great Ormond-street. My husband was defendant in the action of Harris against Pridmore—I lived at Mr. Harris's, in Percy-street—I was very ill for a length of time, and stopped there after the full quarter, as a weekly tenant—Mr. Harris and all my friends knew that—when I left I went to Mr. Harris's room, and offered him the money that was due up to the time I left, and he refused to take it—he said he would not take it—I asked the reason—he said because he would go and see what damage had been done to the rooms, and I gave him the keys, and left that same evening—Mr. Harris knew the whole of the time that I was stopping as a weekly tenant, because my husband was in the country, and of course he knew that directly he came back, and I was able, I should move—it was 2*l.* 18*s.* I offered him, which was the amount of the weekly money up to the time I left—Mr. Harris, my brother, my

husband, and I had been on visiting terms—Mr. and Mrs. Harris sometimes spent an evening in our apartments—if Mr. Harris has sworn that I never offered to pay him any money it is certainly not true—I offered to pay him, and when he refused to take it, I left that same evening, Mr. Pridmore then directed his attorney to pay Mr. Harris the money—my husband is here—Mr. Collier is our attorney, and Mr. Wood—I believe they had been concerned in my husband's affairs before—he kept a public-house in Tottenham Court-road, and they settled our affairs when we left—I left Mr. Harris on the 5th of August—the quarterly rent was 7*l.* or 7*l.* 10*s.*, but I never paid a whole quarter's rent to Mr. Harris—he always received it by instalments—there was an account between us—Mr. Harris sometimes borrowed money from us.

Mr. Clarkson. *Q.* You know Mr. Collier, do you? *A.* Yes, I have seen him—I cannot say when I first saw him—I suppose it is a year ago—I knew Mr. Wood first—I have known him about the same time as Mr. Collier—I do not know exactly how I first became acquainted with him—he transacted business for Mr. Pridmore—it is a year and half ago that my husband was a publican—he has not always been a publican—he was an independent man before that—he had private property, and we lived on an estate of our own—he took to the public line—he did not fail, but we lost a good deal of money—the public-house had no name to it, it was a wine vaults—we were there between two and three years—he has not been in any other business—he was in the farming and grazing line—he is not any thing now—he has apartments in Frith-street, Soho—I have boarded and lodged with Mrs. Warne, in Ormond-street, ever since I left Percy-street—I cannot say how my husband gets his living—he would be very happy to get into some occupation—I do nothing for my living—I am living with a friend at present—I do not live rent free—I have not paid her any rent yet—I suppose as soon as my husband can get some occupation he will pay her—my husband has been out of business ever since we lost our property in Tottenham Court-road—he has been distressed in circumstances since then—it is very different to any thing we have been accustomed to—we have not been able to keep a home of our own for some time—I have not any money, but I board and lodge with Mrs. Warne, and consequently I do not require any.

Q. Where did the 2*l.* 18*s.* come from which you tendered to Mr. Harris? *A.* From Mr. Pridmore—when he came from the country he brought money to pay expenses that had been incurred—he was at the lodging for some time before I left—he brought the money to the lodging last August, and I offered it to Mr. Harris—my husband did not see me offer it—he said as I had had the transactions with Mr. Harris in paying our money, I had better do so then—he might have seen Mr. Harris if he liked—I wished him very much to do so, and wished him to offer the money to Mr. Harris.

Mr. Thomas. *Q.* During the time you were in Percy-street, was he a good while away in the country? *A.* Yes—I do not know whether he has property which he expects to obtain—he has some—he sent me money occasionally from the country while I was in Percy-street—he did not come up till he came in August—he had some business to settle down there which detained him.

Thomas Peacock. I was in the Sheriffs' Court on the day the cause of Harris and Pridmore was tried—I was there during the examination of

the prisoner—I heard him cross-examined by Mr. Burton—I saw Mr. Harris there—I never saw him in my life before—I recollect Spicer being asked in cross-examination whether he would swear positively to Mr. Harris being the person to whom he tendered the money, and I believe he said to the best of his knowledge he was the man—after the trial was over Mr. Harris came up to Mr. Wood, and said, "Is your name Wood?"—he said, "Yes," and Mr. Harris said he would indict Spicer for perjury, for the day he said he tendered the money, he was at Gravesend—that was all that passed that I heard—I should not know Mr. Harris again if I were to see him.

MR. CLARKSON. *Q.* What are you? *A.* A cheesemonger, and live in Wellington-place, St. John's-row, City-road. I went to the Court on business to see Mr. Wood—I had been to Mr. Collier's office, and was informed he was at the Sheriffs' Court, and I went there to see him about some debts—I staid there about an hour—I cannot swear that Spicer said he believed Mr. Harris was the man, but to the best of my knowledge that is what he said—I did not take particular notice of it—I staid there till the cause was over.

EDWARD HARDING WOOD. I managed the cause of Harris and Pridmore—I know the prisoner—I employed him to take the 2*l.* 18*s.* to the plaintiff, Mr. Harris, on the 15th of August—it was about three o'clock, to the best of my recollection—he was to take it to a person named Harris, at No. 7, Percy-street, Tottenham Court-road—the action was brought in October—the rule was issued on the 1st of October, and appearance entered on the 14th of October—Mr. Pridmore called on me on the 7th—I heard Spicer examined at the Sheriffs' Court, and cross-examined by Mr. Burton—Mr. Burton said, "Can you swear positively that is Mr. Harris?"—Spicer said, "I can't swear positively, but I believe him to be the man"—I remember that distinctly, and you called my recollection to it at the time, if you remember, in the Court.

Q. Did you after this pay him for doing that business of tendering the money for you? *A.* After he had gone with the tender, and brought the money back, not after the trial—I should say I paid him three or four days afterwards—it was 3*s.* 6*d.* or 4*s.*—I think he brought me the money back the same evening—to the best of my recollection I said, "You tender this money, and make a note of it"—I am almost certain he brought it me back the same evening, for I was playing at billiards at the time under the office—I did not pay him the 3*s.* 6*d.* that day—I did the following day, I think, or a day or so after—I did not expect any thing would be brought up about it or I should have made a note of it—I paid the 2*l.* 18*s.* into Court—the difference of expense in paying the money into Court, and pleading a plea of tender and payment into Court is about 2*l.* 10*s.*—that is not the price of a writ—a writ would only be 1*l.* 6*s.* for a sum under 20*l.*—you may pay money into Court without pleading a tender.

MR. CLARKSON. *Q.* Pray, Mr. Wood, how long have you been practising in the profession? *A.* I have been in the profession all my life, and have had experience in this Court as well as others, and so has Mr. Collier—I am not aware of Mr. Collier being brought here on any indictment—he has not been discharged under the Insolvent Act—I have made an affidavit that I am Mr. Collier's managing clerk on this very rule—Mr. Collier's name is not on one side the office and mine on the other—there is Mr. Collier's name and my name there too—it is not written up, "Mr.

Wood's offices"—it has been latterly, for this last six or nine months—it was altered six or nine months ago—Mr. Collier has another clerk, named Howell—I have been his clerk four years—I have never practised in my own name—I may have put my name to a brief—you have had many a brief from me, and therefore you take it from that—I was sitting by the side of Mr. Thomas to-day when the witnesses for the defence were sent out of Court—I was not a witness in the brief at that time—I was not aware at that time that I was to be called as a witness—I found out from your introduction to the Jury that I was to be a witness, but I did not know I was to be called on; besides, there was no one but myself here to conduct this case or to instruct Mr. Thomas—Mr. Collier is at home—I have known the prisoner four or five years, or it may be six; not more—I became acquainted with him by his repeatedly calling at our office in Chancery-lane, and meeting him at various places—I knew him when he kept a public-house—I did not go to his house—I know he kept a public-house somewhere over the water—I cannot say how long he was a publican—I have employed him several times to serve writs—I never employed him to attend at the Judges' chambers, or to take out summonses—I have seen him once at the Judges' chambers—that was at the time this cause was pending, it was about going before the Judge about a summons to get a rule of Court for the following term—I have once before called him as a witness on a trial; never but once—that was about four or five months ago, in the cause of Haley and Burton, in the Sheriff's Court—he did not prove a tender in that case—he proved an acknowledgment of a debt which he had to collect—Haley is brother-in-law to Spicer, and he brought an action against one of his customers, who would not pay his score—Spicer was authorised to get it in, and he was merely called to prove that—he does not keep any shop.

Q. Recollect yourself, and tell me whether he did come back to you on the night of the 15th with that 2*l.* 18*s.*? *A.* I think he did—I have no doubt about it, now I come to recollect—I think he came back between ten and eleven o'clock at night—he said he had been to Mr. Harris's, and Mr. Harris said he would not take the money—that was on the evening of the day I had given it to him—I desired him to make a memorandum of it—I should have tendered the money myself, but in consequence of several people being in the billiard-room I went down to have a game, and sent Spicer—I have not kept the note he made—he entered it himself in one of his own books—he brought it to me, and showed me the entry—there was no "four o'clock" on it, to my recollection—I heard him state when he was examined that he was there at four o'clock—I did not appear as a witness myself—I made an affidavit to oppose the summons before the Judge—there was no occasion to make one to oppose the new trial—it would only have been throwing money away—the affidavit is filed—I am certain I represented that I handed the money to this man to tender—I swear I did give him the money to tender.

Q. Did you say so in your affidavit? *A.* That was not the question at all then—I have repeatedly employed this man to serve writs for me, perhaps twenty times—I cannot tell the last time—he went to serve a writ in Haley and Burton's case four or five months ago, but he repeatedly calls at Chancery-lane, and if a notice is to be given he can get 1*s.* by it—he calls nearly every day I believe—he calls three or four times a week—he never sits in Mr. Collier's office—he has sat there when I have any thing

for him to do—he has no writing there, except he writes a letter in the way of his own business—he never filled up any law papers there—I do not think he is fit to do that—I swear he never did in my presence, nor have I ever seen any filled up by him—he lives in Tower-street—he sometimes comes three or four times a day—I will not say that he comes five or six times a day.

GUILTY. Aged 43.—Judgment respited.

NEW COURT.—*Monday, February 3rd,* 1840.

Fifth Jury, before Mr. Sergeant Arabin.

547. EDWIN WOODWARD and MATTHEW BANKFORD were indicted for an indecent assault. NOT GUILTY.

548. GEORGE LEE was indicted for stealing, on the 18th of January, 2 shillings, the monies of Walter Hugo; to which he pleaded

GUILTY. Aged 11.—Confined Four Days—the last day solitary.

549. JANE THOMPSON was indicted for stealing, on the 10th of December, 132 yards of ribbon, value 3*l.*; 56 yards of lace, value 3*l.*; 2 pairs of gloves, value 4*s.*; 1 pair of mitts, value 6*d.*; and 2 scarfs, value 6*s.*; the goods of Sarah Goodwin; to which she pleaded

GUILTY. Aged 22.—Transported for Seven Years.—*Recommended to the Penitentiary for One Year.*

550. JAMES FISHER was indicted for stealing, on the 25th of January, 1 pair of trowsers, value 5*s.*; and 1 handkerchief, value 4*d.*; the goods of Thomas Bruce; in a vessel in a port of entry and discharge.

THOMAS PARSONS. I am a watchman of the London Dock, which is a port of entry and discharge. On the 25th of January, I met the prisoner in the dock carrying something—I asked what he had got—he said a pair of trowsers which he had brought into the dock, and was going to take them out—I detained him, and found the owner.

THOMAS BRUCE. I belong to a ship lying in the dock, which came from Leith. I left these trowsers in my chest, which was not locked—it was in the forecastle, on board the ship—both these articles are mine—(*looking at the handkerchief and trowsers*)—the prisoner did not belong to the ship—I saw them safe on Friday, the 24th of January—we came into the dock on the Wednesday.

GEORGE DIX. I am a constable of the London Docks. The prisoner was brought in custody with the trowsers—I asked where he got them—he said he bought a suit of clothes at Hart's, in Ratcliffe-highway, and these were part of them—he does not work in the docks, and had no right there.

Prisoner's Defence. I bought these trowsers at the same time that I did the waistcoat I now have on.

GUILTY.* Aged 25.—Transported for Ten Years.

551. ELLEN MORIARTY was indicted for stealing, on the 20th of January, 1 box, value 2*d.*; and 5lbs. weight of raisins, value 2*s.* 6*d.*, the goods of Henry Bentham.

JOHN BUCKLEY. I am in the employ of Henry Bentham, a grocer and oilman in Piccadilly. On the 20th of January I was removing some goods

to the back of the counter—this box of raisins was within two yards of the shop-door—I saw the prisoner take it—I overtook her at the corner of Albemarle-street with it, and gave her to a policeman—they are my master's.

JOHN FRASER (*police-sergeant C* 3.) I have the box, and took the prisoner.

Prisoner's Defence. I was very much in liquor.

GUILTY. Aged 20.—Confined Six Weeks.

552. RICHARD MARTIN was indicted for stealing, on the 21st of January, 21lbs. weight of bacon, value 14*s.*, the goods of William Jenkins.

WILLIAM STEVENS. I am a printer, and live near the prosecutor, who is a cheesemonger, in Carnaby-street. On the 21st of January, I saw the prisoner and another boy, and watched them—they first came and looked into Mr. King's shop, and then into the prosecutor's shop—they walked twice back, and then the prisoner went in and took the bacon off the board—I called out "Stop thief," and he threw it down—the other boy got away.

WILLIAM JENKINS. I keep this shop. I was at home, and the bacon was shown to me—there is between 20 and 30lbs.—I know nothing of the prisoner.

GUILTY. Aged 18.—Confined Three Months.

OLD COURT.—*Tuesday, February 4th*, 1840.

Second Jury, before Mr. Recorder.

553. ANN HUMPHREYS was indicted for stealing, 1 sheet, value 4*s.* 6*d.*, the goods of Mary Farnington; to which she pleaded

GUILTY. Aged 51.—Confined Seven Days.

554. JAMES JAY was indicted for an indecent assault; to which he pleaded

GUILTY. Aged 26.—Confined Six Months—Penitentiary.

555. WILLIAM LOWEN was indicted for a like offence.

GUILTY. Aged 58.—Confined Twelve Months—Penitentiary.

NEW COURT.—*Tuesday, February 4th*, 1840.

Sixth Jury, before Mr. Common Sergeant.

556. ANN SMITH was indicted for feloniously forging a request for the delivery of goods, with intent to defraud William White and others.—2nd COUNT, for feloniously uttering the same; to which she pleaded

GUILTY. Aged 20.—Confined Two Years.

557. JOHN BURLLS was indicted for stealing, on the 11th of January, 11 pies, value 11*d.*; 4 pence; 13 halfpence; and 2 farthings; the goods and monies of Charles Stephens; to which he pleaded

GUILTY. Aged 28.—Confined Six Months.

558. JAMES HAYWARD was indicted for stealing, on the 17th of

January, 3 printed books, value 3*s.*, the goods of Frederick Munting; to which he pleaded

GUILTY. Aged 13.—Confined Two Months.

559. MARY ANN POWELL was indicted for stealing, on the 27th of January, 2 pairs of boots, value 8*s.*; and 1 pair of shoes, value 1*s.*; the goods of John Smith, her master; to which she pleaded

GUILTY. Aged 14.—Confined Six Months.

560. JAMES MACHIN and RICHARD SAMBROOK were indicted for stealing, on the 16th of January, 1 handkerchief, value 1*s.*, the goods of Peter Howard, from his person.

PETER HOWARD. I live in Stangate-street, Lambeth. About two o'clock on the 16th of January I was in Parliament-street, and my pocket was picked of my handkerchief—I had used it half a minute before—the policeman called me, and the handkerchief was produced—the prisoners were then close to me.

GEORGE SMITH (*police-constable L* 119.) I was on duty in private clothes at the time the Queen was going to the House of Lords.—I and Wright had been following the two prisoners for about an hour, and saw them attempt several pockets—just as the Queen was passing, they went behind the prosecutor—Wright made a move, I took hold of Machin, and took this handkerchief out of his hand.

Sambrook. *Q.* Did you see me at any time stand by Machin? *A.* Yes, certainly I did.

SAMUEL WRIGHT (*police-constable P* 172.) I was in Parliament-street, I saw the prisoners for about an hour, attempting several gentlemen's pockets —I followed them—they were in company together, and talking several times—Machin tried the prosecutor's pocket, and the other stood by ready to receive it—they were taken—I saw the handkerchief taken from Machin's hand.

Sambrook. *Q.* Where was my hand? *A.* Close by Machin's—directly he was taken, you tried to make off—Sambrook made no attempt, but he stood by ready to receive it.

Machin. The gentleman's handkerchief was out of his pocket—the officer had hold of me, and took the handkerchief himself.

GEORGE SMITH. It was entirely out of the pocket, and I took it out of Machin's hand.

(Sambrook received a good character.)

MACHIN—GUILTY. Aged 16.—Confined Six Months.

SAMBROOK—GUILTY. Aged 28.—*Recommended to mercy by the Jury.*—Confined Two Months.

561. RICHARD HARRISS was indicted for stealing, on the 10th of January, 1 handkerchief, value 2*s.*, the goods of Thomas Gray, from his person.

THOMAS GRAY. I live at Stepney. At a quarter before eleven o'clock on the 10th of January, I was in Fenchurch-street, and missed my handkerchief, which I had used two minutes previously—I turned, and saw the prisoner and a smaller boy, named Sheridan, close to me—I accused the prisoner of stealing my handkerchief, which he denied, and one of them, I cannot say which, threw the handkerchief down—I caught hold of the

other one, and kept him till I gave him into custody of the police—the prisoner was nearest to me—the other witness kept him.

Cross-examined by MR. PAYNE. *Q.* Did you see the handkerchief fall? *A.* Yes—there were a great many people about—the bill against the other has been thrown out.

GEORGE WATKINS. I am a bricklayer, and live at Greenwich. I was in Fenchurch-street—I saw the prisoner lift the tail of the prosecutor's pocket with one hand, and draw the handkerchief out with the other—the prosecutor turned, and I said, "There is your handkerchief"—I caught the prisoner, and the prosecutor caught the other—I saw the handkerchief drawn, but I did not see it drop.

Cross-examined. *Q.* How near were you? *A.* About a yard or two—I do not think there were any people between him and me—I saw the handkerchief lying on the ground—I said to the prosecutor, "There lies your handkerchief" and I seized the prisoner—I am confident he drew the handkerchief—I cannot say what he did with it—I was on the prosecutor's left-hand side.

HENRY WEATHERLY. I am a fishmonger. I was with Watkins—I saw the handkerchief in the prisoner's hand, and saw him throw it on one side.

Cross-examined. *Q.* Where do you live? *A.* At Greenwich—I had come from there that morning to go to market—I was not so near the prisoner as Watkins—we were in company together, but I was walking first—the prosecutor was going one way, and we the other—I was on the side of the shop window, and the handkerchief came across my face.

GUILTY.* Aged 19.—Confined Three Months.

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562. WILLIAM WHITTLE was indicted for stealing, on the 9th of January, 10 toasting-forks, value 5*s.* 6*d.*, the goods of Thomas Isaac Townsend, from the person of Thomas Townsend.

THOMAS TOWNSEND. I am the son of Thomas Isaac Townsend, and am ten years old, I live in Ireland-court, Spitalfields. About a quarter-past seven o'clock, on the 9th of January, I was between King William-street and Lombard-street—I had ten toasting-forks with me, which were my father's, and which I had to sell—I met the prisoner, whom I did not know before—he asked if I had seen a boy with a child on his back—I said, "No"—he said he wanted him to carry some goods, that he was looking for a porter, and could not find one—he asked whether I would go, and he would give me half-a-crown—I said I would—he said, "Come with me"—he took me to the East India Arms public-house, in Fenchurch-street—he told me to wrap up my forks—he took them out of my hand, and put them in the public-house, and told me to go to Mr. Frith's, a fishmonger, in Bishopsgate-street, to ask for Mr. Williams's clothes and money—I went all about Bishopsgate-street, and could find no such person—he told me to meet him at the Bell public-house—he told me to go for my forks to the East India Arms public-house when I had fetched his clothes and money—I went for them, and they were not there—I did not see any thing more of them or him till the Saturday night, when my mother saw him—he said something to her—I did not hear what—these are six of the toasting-forks—(*looking at them.*)

Cross-examined by MR. PAYNE. *Q.* It was your mother that called your attention to him on the Saturday night? *A.* Yes, about half-past nine o'clock—he was going up Princes-street, by the side of the Bank—I

know these forks—one is cut in deeper than any of the rest—my mother gave him into custody, and the forks were taken at the same time.

MARY TOWNSEND. I am the witness's mother. Between nine and ten o'clock on the Saturday night I was in King William-street—I saw the prisoner with six of the forks that he took from my boy—I went after him, and said, "Hoy, you have got my forks"—I ran a few yards—he got across the wide crossing near the Mansion-house—I got to him, laid hold of his collar, and took his hand which had the forks in it—he said, "Make no bother; come with me, I will settle it"—I called my boy—he came up, and said, "That is the man that took my forks"—a policeman came, and took them—these are six of the forks the boy lost on the Thursday.

Cross-examined. Q. Your attention was called to him by knowing the forks again? *A.* Yes.

THOMAS ISAAC TOWNSEND. I made these forks—these are six out of the ten I gave to the boy to sell for me.

JAMES FINDLAY. I am barman of the East India Arms public-house. On Thursday night, the 9th of January, the prisoner came there, and left a bundle of forks, he came again in three or four minutes and took them again—I have no doubt about the prisoner—he was dressed as he is now.

Cross-examined. Q. How long was he there the first time? *A.* About a minute—he was absent about three or four minutes, and then came again.

MR. PAYNE *called*

STEPHEN AMHERST. I am a hair-dresser, and live in Kent-street. I was in company with the prisoner on a Saturday evening, I think last Saturday three weeks, between seven and eight o'clock, in the Roebuck public-house, in the Dover-road—I heard on the Monday of his being taken, and it was the Saturday before that—I saw him purchase six toasting forks of a young man, rather dark, about his own size, with a blue coat on—I wished to buy one of them myself—I offered 1*s.* for it, but the young man would not sell one without selling the whole—the prisoner gave 4*s.* and a pint of beer for the forks—I know he is in the habit of selling things in the street—I have purchased several things in hardware of him—this is the fork I offered to buy.

SAMUEL CHALLONER (*City police-constable, No.* 275.) I took the prisoner—he made no remark to me—he appeared before the Lord Mayor on the Monday—he was remanded till the Wednesday, and on Wednesday he said he could prove he bought them—it was deferred till Thursday, and then this witness appeared.

(The prisoner received a good character.)

GUILTY. Aged 26.—Confined Six Months.

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563. WILLIAM MARRIOTT and JOHN ROWLAND were indicted for stealing, on the 20th of January, 1 coat, value 15*s.*, the goods of Stephenson South.

STEPHENSON SOUTH. I am a salesman, living at Maida-hill, Paddington. On Monday, the 20th of January, about twenty minutes past three o'clock in the afternoon, I was in Whitecross-street—I had a Macintosh coat in my gig, which I left in possession of the two prisoners—I went into Whitecross-street prison, to see a person who owed my governor some money—I came out at ten minutes past four o'clock—my gig was moved from fifty to a hundred yards lower down, and the prisoners and the Macintosh were gone.

Cross-examined by MR. PHILLIPS. *Q.* Did you ever see them before? *A.* Not to my knowledge.

WILLIAM STARR. On the 20th of January I was playing in Whitecross-street. I saw the gig, and the prisoners with it—they took the chaise up the yard—Rowland took the Macintosh out and gave it to Marriott, who rolled it up, and ran off with it—Rowland then took the chaise up the yard, and ran after him.

Cross-examined. *Q.* What did Rowland do? *A.* He took the Macintosh and gave it to the other one—it was lying loose—he took it, shaking it loose, and handed it to the other—I am as sure of that as I am that he took it—Marriott rolled it up—I knew them before—they lived in the same street—I quarrelled with Rowland.

Q. Did you not swear before the Magistrate that Rowland rolled it up? *A.* Yes, Rowland rolled it up—he used to beat me, because I told him to go away from my door—I never quarrelled with Marriott—I did not tell any one *of this*—it was Monday that the coat was taken—I told the gentleman at Guildhall, and the policeman, as he was coming down the street, on the same day—I told him Rowland rolled the coat up—I did not watch which way they went—Marriott took the coat down Half Moon-alley.

JURY. *Q.* Are you sure the boy did not take the coat to give it to the gentleman? *A.* I know they both ran away.

JOHN STAINS (*City police-constable, No.* 389.) I received information from this boy, and took Rowland on Tuesday—on Wednesday morning Marriott was brought up on another charge, and was identified.

Cross-examined. *Q.* Did you know where Rowland lived? *A.* Yes—I went there that evening—he was not at home—I went on Tuesday morning, and he was at home—I was in my police clothes on Monday night, and I saw his mother—I told her the errand I came on.

NOT GUILTY.

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564. WILLIAM MARRIOTT was *again* indicted for stealing, on the 22nd of January, 22lbs. weight of cheese, value 12*s.*, the goods of Henry Deane.

CHARLES SLATER. I am shopman to Henry Deane, a cheesemonger, in Fore-street. He had some cheeses in his shop on the 22nd of January—this is one of them—(*examining one*)—Emblem came and told me something—I ran out, and ran after the prisoner, and saw him in Milton-street, with the cheese on his head—I hallooed after him—he threw it down—I ran up and took it, and then ran to the court he ran up, and Hude had him by the collar, bringing him down.

HENRY EMBLEM. I am in the employ of Mr. Tarby, in Fore-street. I was taking down my master's shutters, and saw two boys about, one of whom was the prisoner—they crossed the road—the other one went into the prosecutor's shop, and took the cheese, brought it out, and gave it to the prisoner, who went down Moor-lane, and threw it down in Milton-street.

DENNIS HUDE. I am a constable of Cripplegate. On Wednesday, the 22nd of January, I heard a cry of "Stop thief"—I ran out of my own room, and saw the prisoner running with the cheese—he threw it down—I followed, and took him.

(John Lynes, a wood-turner, of Twister's-alley, Bunhill-row, gave the prisoner a good character.)

GUILTY. Aged 14.—Transported for Seven Years.—Isle of Wight.

565. WILLIAM BARNES was indicted for stealing, on the 15th of January, 1 handkerchief, value 2*s.*, the goods of Thomas Robert Redham, from his person.

THOMAS ROBERT REDHAM. I live in Threadneedle-street. I was going over London-bridge on the 15th of January, about seven o'clock in the evening—I felt my handkerchief was gone—I had used it half a minute before—Mr. Rutherford called my attention to the prisoner, and the prisoner threw my handkerchief into a doorway—this is mine—(*examining one.*)

Prisoner. *Q.* Did you say you thought I was not the person who took it? *A.* I said I did not see you take it, nor did I see you throw it away—you were in a stooping position—I took the handkerchief from the doorway.

GEORGE RUTHERFORD. I live in Lombard-street, City. I was on London-bridge on the 15th of January, about seven o'clock—I met the prosecutor, followed by the prisoner and another person—the other took the prosecutor's handkerchief, and handed it to the prisoner—the minute he got it he hung behind, and stooped, affecting to tie up his shoe—I called to the prosecutor, and the prisoner took the handkerchief from his pocket, and threw it into the doorway of a house.

Prisoner's Defence. I was going to see for some work over the bridge—my stocking came down, which I stopped to do up—this gentleman hallooed to the prosecutor, and said he had lost his handkerchief—he came and took me, and said, "You have my handkerchief"—I said, "I have not"—he *shoved* me into the passage, and found it—I never had it in my possession.

GUILTY. Aged 19.—Confined Three Months.

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566. JOHN MURPHY was indicted for stealing, on the 13th of January, 2 shirts, value 20*s.*; 1 shift, value 10*s.*; 1 gown, value 10*s.*; 1 pair of drawers, value 5*s.*; 1 petticoat, value 8*s.*; 1 table-cloth, value 10*s.*; and 1 bed-gown, value 7*s.*; the goods of William Fowler.—2nd COUNT, stating them to be the goods of John Bailey.

WILLIAM FOWLER. I am a cork-manufacturer, and live in Eastcheap. On the 13th of January I had these shirts and other things stated—I lost them—these are them—(*examining them*)—I know nothing of the prisoner.

Cross-examined by MR. PAYNE. *Q.* They were given to a laundress's husband? *A.* Yes—this table-cloth is marked with my initials.

MARGARET COATS. I am servant to Mr. Fowler. I tied up this bundle on the 13th of January—it contained two shirts, a shift, a gown, and the other things—they were Mr. Fowler's—I brought them down to Mr. Bailey, and gave them to him to be washed—these are some of the articles.

JAMES BAILEY. I live in Clarendon-street, Walworth-common—my wife is a laundress. On the evening of the 13th of January I received the bundle from Coates—I put it into my cart between six and seven o'clock—I got out in Eastcheap, and missed it about ten minutes after.

JAMES JOHN HOLLAND (*City police-constable, No.* 370.) About ten minutes past seven o'clock I was on duty in Eastcheap—I saw the prisoner loitering about close to a tailor's shop, he then went to the cart, and took something from it—I followed him up Philpot-lane, and cried out, "Stop thief"—in Fenchurch-street he threw it into a young man's arms—I still followed—he was turned round by a gentleman in Cullum-street—the bundle contained the things stated.

Cross-examined. Q. Where was the cart? A. In Eastcheap—there was a person in the cart—the prisoner was turned back in Cullum-street, five or six hundred yards from Eastcheap—there are two turnings before you get to Cullum-street—it was dusk—there was a gas-light—no one else took the bundle—the man is not here who caught the bundle—I know him.

(The prisoner received a good character.)

GUILTY. Aged 23.—*Recommended to mercy by the Prosecutor and Jury.*

Confined Three Months.

OLD COURT.—*Wednesday, February 5th*, 1840.

Third Jury, before Mr. Sergeant Arabin.

567. ANDREW FOX and MICHAEL ANNIS were indicted for burglariously breaking and entering the dwelling-house of James Reiley about the hour of ten in the night of the 13th of January, with intent to steal, and stealing therein, 2 loaves of bread, value 8*d.*, his goods; to which they pleaded

GUILTY.—Confined Six Days.

568. CHARLES ALGAR was indicted for stealing 11*s.* 6*d.*, the monies of George Corrall; to which he pleaded

GUILTY. Aged 23.—Confined Three Months.

569. JAMES CAZLOR was indicted for stealing a loaf of bread, value 2*d.*, the goods of Henry Bennett; to which he pleaded

GUILTY. Aged 9.—Confined Four Days.

570. JAMES MALONY was indicted for stealing a handkerchief, value 2*s.* 6*d.*, the goods of Richard Whittall, from his person; to which he pleaded

GUILTY. Aged 29.—Transported for Ten Years.

571. WILLIAM WILLIAMS was indicted for stealing 3 handkerchiefs and other articles, value 30*s.*, the goods of George Peat; to which he pleaded

GUILTY. Aged 20.—Confined Six Months.

Before Mr. Justice Williams.

572. JOHN HENCHER was indicted for feloniously forging and uttering an order for the payment of 6*l.*, with intent to defraud Thomas Ridgway.

(*See Surrey Cases.*)

Before Mr. Justice Coltman.

573. HENRY KING was indicted for burglariously breaking and entering the dwelling-house of John Bartholomew about the hour of five in the night of the 31st of January, at St. Botolph Without, Bishopsgate, with intent to steal, and stealing therein, 36 pairs of gloves, value 4*l.* 14*s.*, his goods.

JOHN BARTHOLOMEW. I live at No. 10, Bishopsgate-street Without. On Saturday morning last, a little before five o'clock, I was awoke by the breaking of glass—I laid still a few minutes, and then heard a voice say, "Whose beat is it on? why did not you stop them?"—I instantly got up, and on looking through the window, I saw one or two persons on the oppo-

site side looking towards my shop—I dressed myself and went down stairs —I heard the clock strike five, a few minutes after I was awoke by the breaking of the glass—I am sure it was five o'clock—when I went down I opened the shop-door, found the bar of the shutter bent very much, two shutters down, and one pane of glass broken quite out—I put the shutters up, and received information that a man was at the station-house—I went there, and found the prisoner in custody, and two dozen pairs of gloves on the table, which I can swear to being mine by the make—I have others that correspond with them now at home—they had not been made particularly for me—I came back to my shop—I found the shutters as I had left them, but I had not time before I went to the station-house to examine the window—I found it had been very much disturbed in the course of the night, and missed three dozen pairs of gloves—the shop was properly secured when I went to bed between eleven and twelve o'clock, the shutters and doors also—I went back to the station-house, and saw the third dozen pairs of gloves, which corresponded with what I lost.

CHARLES HARLEY. I am a policeman. On the morning in question I saw the prisoner enter Devonshire-square, which is fifty or sixty yards from the prosecutor's shop—knowing the square was no thoroughfare at night, I hastened to the spot, and asked the prisoner what he did there—he appeared very drunk—I took him into custody, and in going to the station-house, he dropped a packet of gloves, which I took up—after we got to the station-house another packet, which was a second dozen, was brought in by a country boy not more than half a minute after we got there—I have no doubt the prisoner saw him bring it in—I do not think he heard what he said—I found a third packet of gloves about five minutes after he got to the station-house, part in the prisoner's hat, and part under the seat in the cell he was in—he was quite alone in the cell—the gloves were afterwards shown to Mr. Bartholomew—the prisoner appeared to be drunk, but I believe it was put on, for before I got him to the counter, he appeared as sober as I do now—that was about a quarter past six o'clock, after I had got him to the station-house.

(*Property produced and sworn to.*)

Prisoner's Defence. I was very drunk at the time I got these gloves, and do not know how I became possessed of them.

GUILTY. Aged 35.—Confined Twelve Months.

Before Mr. Justice Coltman.

574. MARIA DAVIS was indicted for stealing, on the 21st of January, 1 watch, value 16*l.*; 1 guard-chain, value 14*s.*; 2 Napoleons, value 3*l.*; 1 purse, value 3*s.*; and 2 shillings; the property of Martin Baichle, in the dwelling-house of William Dedman.

MR HORRY *conducted the Prosecution.*

MARTIN BAICHLE. I am servant to Mr. Currie, of Regent-street—I lodge in the front attic of Mr. Dedman's house, in Bryanston-street, Portman-square. On the 20th of January I was out—I came home about two o'clock in the morning, with my fellow-servant Edward—the prisoner lodged on the same floor in the back attic—Edward slept with me—when I came home I saw the prisoner in the passage—I had given her some things to mark for me, and she gave me some of them back, some flannel waistcoats and drawers—I went into my own room after that, and went to bed—I put my watch and chain on the table, and my fellow-servant put

it in the stand—I put my purse, containing two forty-franc pieces, and 2*s*., on the table—I and Edward went to bed—I got up next morning about half-past seven o'clock—my watch then was gone, and the purse also—I told Emma Gilbert, the mistress of the house, of it—there is no lock or bolt to my room door.

Cross-examined by MR. PHILLIPS. *Q.* What countryman are you? *A.* A German—I had known the prisoner while I was at Dedman's, which was about nine weeks—we were friendly—I do not know about intimate—she came to my room, and gave me the things—that was not the first time she was in my room—she was often there—I told her to come one day, when her chimney smoked—she often came—she was in the habit of marking my drawers and flannel waistcoats for me—she asked for them—I could not call her a sweetheart—she sometimes staid in my room all night—she had never had this watch in her possession before—I never denied that she had spent the night with me—they never asked me that—I do not remember ever denying it—the Magistrate asked me why she gave me the waistcoats so late, and he asked if I had nothing to do with her—I said I had nothing to do with her—she was not in the habit of coming into my room every morning, till after I was dressed—she shook hands with me sometimes in the morning, but this evening I had been at the theatre, my fellow-servant was with me, and she said it was very bad to go there to frequent bad people—she did not like my going to the theatre—she said I ought not to frequent bad people—the prisoner was going to a situation that day—she told me so—I asked her where she was going, and she gave me the direction—I cannot tell it—she gave it to me written down, and I have got it at home.

Q. Were not you and she in the habit of joking and playing with one another? *A.* She left open her door several times when I came up stairs, and one thing led to another, and we began to chat at the door—our first intimacy was when her chimney smoked—we were in the habit of playing tricks with one another, and joking—we were in the habit of joking, and making free with one another—I cannot remember at what time she was going to her situation—she told me in the morning that she was going that morning—she had told me two or three days before that she was going that day—I think she told me she was going between two and three o'clock—the watch was taken from her about half-past eight o'clock in the morning—my door was shut that night, but not locked—any body could open it—she did not know there was a man with me—the bed has curtains round it—I think she could not see, because it was not day-light when she came—I did not see her come—I went to bed after two o'clock—the theatre was over at two o'clock—it was the first time I kept so late an hour—when the watch was found, the prisoner said she had taken it by way of a joke—I never gave her any money—I told her to make out a list of all the things she had marked for me, and I would pay her, but the things were not done.

MR. HORRY. *Q.* You agreed to pay her? *A.* Yes—I never gave her the watch to take care of.

COURT. *Q.* You say the Magistrate asked if you had any thing to do with her? *A.* Yes, he asked why she gave me the flannel waistcoats—I said she had marked them—he said, "Why did she bring them so late in the evening"—I told him because I would have them in the morning—I never promised to marry the prisoner—she asked me, and I never did

promise to any lady to be married before—she said she had a friend, who married a young gentleman very young, and would I do the same—I said I never would promise any body to marry them.

EMMA GILBERT. I live in Bryanston-street, Portman-square, with William Dedman, my uncle, who keeps the house—the prisoner lodged in our back-attic for about three months—on the morning of the 21st of January, about half-past seven o'clock, the prosecutor told me he had lost his watch—I went up stairs to the prisoner's room and saw her—she had her dressing-gown on—I told her the watch was lost—she said she knew nothing of it, and had he not frequented bad places he would not have lost it—I said I thought it must be lost while he was out—she said she thought so too—I awoke my uncle and aunt—my uncle got up, and went for a policeman, and we all went up stairs together with the policeman—the policeman knocked at the prisoner's door—she said she was not dressed, and could not admit us—she had opened the door before that, and seen the policeman, and then fastened it—the policeman told her she was to go with him—my uncle put his back against the door, and tried to push it open—the prisoner then opened it—I went in with my aunt—the prisoner had then got her dressing-gown off, but was dressed all but her gown—she had a flannel waistcoat in her hand, with the watch in it, and was rolling it up in the waistcoat, wrapping it round the watch—I saw the watch-chain dropping out of the waistcoat, and I ran to seize it—my aunt got the watch and I the chain—we found a purse with the watch and the waistcoat together—she said she took it in a joke—my aunt said she ought to have been ashamed of her conduct with the prosecutor, and not disgrace her house so—she said there was nothing between them—I gave the watch, purse, and chain to the policeman—the prisoner was to have left the house to go to a situation that evening.

Cross-examined. *Q.* To a respectable situation, I believe? *A.* Yes, where she would have got good wages, and have every comfort—I had no notion that there was any thing improper going on between the prosecutor and the prisoner—the prisoner said there had been nothing improper between them, and he could not say it—the prosecutor had not liberty to bring any man home to the house, but he sent word home that evening, and asked permission—it was no secret at all.

MR. HORRY. *Q.* Was the prisoner in a situation to know that? *A.* I do not think she did know it.

WILLIAM NASH (*police-constable T* 77.) On the morning of the 21st of January I was called into Dedman's house—I went up stairs with Gilbert, her uncle and aunt, to the back attic—I knocked at the door, and told the prisoner she was charged on suspicion of having the watch, chain, and purse—she said she had not got it.

(*Property produced and sworn to.*)

(The prisoner received a most excellent character.)

NOT GUILTY.

Fourth Jury, before Mr. Recorder.

575. CHARLES CHAPPLE was indicted for feloniously breaking and entering the dwelling-house of George Spong, on the 26th of January, at St. Pancras, and stealing therein 1 coat, value 10*s.*, the goods of Stephen Nathaniel Baker.

STEPHEN NATHANIEL BAKER. I am a dairyman, and live in Chapel-

street, Tottenham-court-road. I have a shop, and a room on the first floor of the house of George Spong, it is in the parish of St. Pancras. On the night of the 26th of January I locked the door of my shop at [about a quarter past seven o'clock, and took the key with me—my attention was called to my shop a little before eight o'clock, when I was in the up-stairs room—I went down, found the shop door wide open, and missed my coat off a shelf at the further end of the shop—I looked out, and saw the policeman bringing the prisoner along with my coat—the street door had been left open, but my shop door was locked.

Cross-examined by Mr. Phillips. *Q.* Does Mr. Spong live in the house? *A.* Yes, and sleeps there—the street door is always open—I am quite sure I did not leave my shop door open.

John Rees. I am a colourman, and live in Chapel-street, exactly opposite Baker. On the evening of the 26th of January I noticed the prisoner with another man at Baker's shop door—the prisoner was there five or six times, endeavouring to open the shop door, backwards and forwards—I went out and told the policeman—shortly after I saw the prisoner coming down the street at a fast walk with the other man—the prisoner had the coat under his arm—I saw him come out of Baker's doorway—he dropped the coat—I took it up, and caught hold of his companion, but he broke from me—I saw the prisoner in charge of the constable—he kicked him in a certain place, and got from his grasp altogether—three men could not hold him—he was secured after a long run.

Cross-examined. *Q.* Are you quite sure it was the prisoner? *A.* Yes, I had seen him five or six times that evening by the gas-light—I am certain I have made no mistake.

John Eaton (*police-constable S* 193.) I was in Chapel-street, on the 26th, at about a quarter before eight o'clock, in plain clothes—I saw the prisoner and another lurking about the shop—I watched them some time, and saw the prisoner go in, and come out in about a minute or two, with something under his arm—I crossed over, and said, "What have you got there?"—he said, nothing, but threw the coat down, and began an attack on me—he hit me right and left, and kicked me in the —— he ran down several streets, and down a mews, which is no thoroughfare—he came out, I secured and handcuffed him—he said, "I suppose you have done for me at last"—at the station-house the inspector asked him his name and address—he said, "I shall not give it"—in the morning the inspector said, "Do you still refuse to give your name and address?"—he said, "I do."

Stephen Nathaniel Baker *re-examined.* This is my coat.

GUILTY.* Aged 26.—Transported for Fifteen Years.

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576. THOMAS EVERITT was indicted for feloniously forging and uttering a request for the delivery of 1 box of gunpowder-tea, with intent to defraud John Travers and another.

William Wilson. I am warehouseman to Travers and Son, of Cannon-street. On the 10th of January, about three o'clock in the afternoon, the prisoner came there and presented this order to me, directed to John and Joseph Travers—we have a customer named Symonds—after reading the order, I asked him from whom he had it—he said, "From Mr. Symonds's shopman"—I asked where he gave it to him—he said, "In the Terrace"—Mr. Symonds lives in Wilmington-square—I knew he had no shopman—I was attending to a customer, and told him to wait—I then questioned him

again, and he said it was given to him by a person in the street, who was waiting at a coffee-shop—I got a policeman—we walked at a distance from him to the coffee-shop, but nobody was waiting there, nor had there been any body there, and I gave him in charge—the note was wafered, I think, when it was given to me—he had a grocer's apron and a basket —(*order read*)—"Mr. Symonds's kind regards to Mr. Travers, and will feel much obliged to him to send by bearer a box of gunpowder-tea; as he is sending to Berks by rail-road this evening."

RICHARD SYMONDS. I am a tea-dealer, and live in Wilmington-square, Clerkenwell—this paper was not written by me, nor by my authority or knowledge—I have no recollection of the prisoner whatever.

RICHARD JORDAN (*City police-constable, No.* 369.) I took the prisoner into custody on the 10th of January, and received the note which has been produced.

Prisoner's Defence. A gentleman sent me in with it, and said he would be at the coffee-shop ready when I came back, and give me 6*d.*; he did not say what it was for. I did not say I had come from the shopman; I said from a man in the street; I never knew where Mr. Symonds lived.

WILLIAM WILSON *re-examined.* I am perfectly certain he said he had it from Mr. Symonds's shopman, in the Terrace.

(The prisoner received a good character.)

GUILTY of Uttering. Aged 17.—Confined Two Years.

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577. WILLIAM EDMONDS was indicted for stealing, on the 17th of January, 1 coat, value 16*s.*; and 2 jackets, value 1*l.*; the goods of Moses Moses.

CAROLINE MOSES. I live with my father, Moses Moses, in Upper East Smithfield. On the evening of the 17th of January, a little after six o'clock, I was coming from the parlour into the shop, and saw the prisoner leaning over the counter, taking the coat and jackets off a shelf behind the counter—I called out—my brother ran into the shop, and the prisoner dropped them on the counter—my brother said, "You have robbed us" —he called my father out to detain him while he fetched a policeman— while he was gone, the prisoner said he thought my father acted very foolishly in detaining him, as he had not taken the things, and that he had come in to buy a waistcoat—I had seen these things on the shelf about a quarter of an hour before—he had no business to take them off the shelf.

Cross-examined by MR. PAYNE. *Q.* Where were you when you saw him taking the things from the shelf? *A.* In a small room between the shop and parlour—I had no light there, but there was one in the parlour, and a gas light in the shop—the half-door of the shop was shut—a person could open it, and come in—the prisoner said he thought the things were waistcoats—he dropped them just as my brother came out.

GABRIEL MOSES. I am the brother of the last witness. I ran into the shop, on her calling out, and saw the prisoner with the coat and two jackets under his arm—on seeing me he dropped the coats on the counter—I fastened the door, and said, "You have robbed the shop"—I called my father to detain him while I went for a policeman—there was no one in the shop at the time the prisoner came in—we were all taking tea.

Cross-examined. *Q.* What, did you take tea in the parlour, and your sister in the little room? *A.* My sister was clearing away the tea things —the prisoner said he had no intention of stealing the things, he came in o buy a waistcoat.

JESSE TROWER (*police-constable II* 182.) I received charge of the prisoner, and have the coat and jackets—he said he went in to buy a waistcoat—he did not go in with intent to steal the coats.

Cross-examined. Q. Did you find 2*s.* 3*d.* on him? *A.* Yes—he had no waistcoat on at the time.

CAROLINE MOSES *re-examined.* These are the same things the prisoner dropped on the counter—the lowest priced jacket is 9*s.* 6*d.*—we sell second-hand things sometimes—I do not know that we had any waistcoats as low as 2*s.* 3*d.*—on the shelf he took these from there was nothing but trowsers and jackets—there was a pile of waistcoats on the next shelf—they were not disturbed at all—they were a shelf higher than the jackets—the shelves are at the back of the counter—he laid quite flat across the counter to get them—he did not make any noise to call any body into the shop—I merely saw his shadow, which made me go out.

Prisoner. I took the lining of the coat to be a waistcoat—it is a waistcoat pattern, and in looking at that one the others come down with it. *Witness.* He had all three under his arm, and did not drop them till he saw me come out—he did not hold them up to look at—he must have known they were not waistcoats—I did not hear him shut the half-hatch after him.

(The prisoner received a good character.)

GUILTY. Aged 24.—Confined Three Months.

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578. GEORGE WATTS was indicted for stealing, on the 18th of January, 40 yards of carpet, value 5*l.* 18*s.*, the goods of William Smith.

WILLIAM SMITH. I live with my father, William Smith, a draper in Shaftesbury-terrace, Pimlico. This carpet is my father's—(*looking at it.*)

THOMAS PIGGOT. I am shopman to Mr. Smith. On the afternoon of the 18th of January, I saw the prisoner about a furlong from the shop, coming from the shop carrying this carpet on his shoulder—I followed him, and noticed the cost price on it—I got assistance, and followed him to Vincent-square—he was stopped there by my companion, and taken to the station-house—I asked who he brought it from—he said a man had given it to him on the road.

Prisoner. Q. I dare say you saw a respectable gentleman with me who gave me the carpet? *A.* No, I saw no man near you—when I stopped you I asked where you were taking it to, and you said a gentleman gave it you to carry—I said, "Is that gentleman here?"—you said, "No, I should know him, if I were to see him."

GEORGE SIMMONS. I am shopman to Mr. Smith. I placed the carpet outside the door on the morning of the 18th, on the grating in front of the shop.

JAMES SKELTON (*police-constable B* 94.) I took the prisoner into custody—he told me a man gave it to him in Vauxhall-bridge-road to carry to Westminster Abbey, and was to give him 1*s.* for his trouble—he was searched, but nothing was found on him—Shaftsbury-terrace is in Vauxhall-road.

GUILTY.* Aged 48.—Transported for Seven Years.

(The prisoner had been previously transported.)

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579. RICHARD PHILLIPS and WILLIAM THOMPSON were indicted for stealing, on the 16th of January, 1 handkerchief, value 1*s.*, the good of James Woodward, from his person; to which

THOMPSON pleaded GUILTY. Aged 18.—Confined Twelve Months.

JAMES WOODWARD. I am servant to Mr. Bouverie, of Hill-street, Berkeley-square. On the afternoon of the 16th of January I was in St. James's-park, near Buckingham palace, about one o'clock, and missed my handkerchief, in consequence of the policeman speaking to me—I know it was safe a quarter of an hour before—this is it—(*looking at it.*)

GEORGE CAMP (*police-constable N* 82.) A little before one o'clock, on the 16th of January, I was on duty in the park, near Buckingham-gate, and saw the two prisoners in company together—I am certain Phillips was with the other—I watched them for a quarter of an hour, and saw them go to a gentleman, take a handkerchief partly out, and put it back again—they then went to the prosecutor, and Thompson took the handkerchief out of his pocket, and put it into his breeches—Phillips was covering him at the time—I was close to them, watching, and looked over Phillips's shoulder—I found the handkerchief on Thompson—Phillips was close alongside of him at the time I took him—I had seen them talking together, and saw Thompson try a gentleman's pocket before that, in company with Phillips, who saw what he was doing, and remained with him till the prosecutor was robbed—I am quite satisfied they were both together concerned in taking it.

Phillips. I was standing, looking at the Queen's carriage go into the gate—this young lad happened to be by my side—I did not know him at all—I walked away—he came and spoke to me, and said, "That is a nice carriage"—I said, "Yes, it is," and walked on—he followed me—I heard a scuffle with the policeman taking him, and stopped to see what it was, when they took me. *Witness.* I seized both together—they were both walking away together with the handkerchief—I had touched the gentleman, and said, "You have lost your handkerchief," and they both walked away towards Pall-mall, quite away from the gate.

PHILLIPS—NOT GUILTY.

NEW COURT.—*Wednesday, February 5th,* 1840.

Fifth Jury, before Mr. Common Sergeant.

580. ELIZABETH GARNONS was indicted for stealing, on the 9th of January, 1 veil, value 6*s.*, the goods of William Henry Shutter, from the person of Jane Courtney Shutter; to which she pleaded

GUILTY. Aged 37.—Confined One Month.

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581. JAMES PRITCHARD was indicted for stealing, on the 10th of September, 1 handkerchief, value 1*s.* 6*d.*; 1 umbrella, value 10*s.*; and 1 pair of trowsers, value 10*s.*; the goods of Joseph James Maberly: 1 coat, value 1*l.*; 1 waistcoat, value 2*s.*; and 2 pairs of trowsers, value 14*s.*; the goods of Samuel Edward Maberly: 7 cups, value 3*s.*; 6 saucers, value 3*s.*; 1 sugar-basin, value 1*s.* 6*d.*; 3 doyley's, value 3*s.*; 1 table-cloth, value 5*s.*; 1 coat, value 10*s.*; and 1 handkerchief, value 2*s.*; the goods of Joseph Maberly, his master; to which he pleaded

GUILTY. Aged 40.—Transported for Seven Years.

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582. CHARLES PERRY was indicted for stealing, on the 7th of February, 1 saucepan, value 2*s.* 6*d.*; the goods of William Brooke; to which he pleaded

GUILTY. Aged 23.—Confined One Month.

583. ALEXANDER HILLMAN was indicted for embezzlement.

THOMAS LONG. I live in Philpot-lane. I was present when Mrs. Long gave the prisoner 9*s.*—I will not swear he is the man—a man brought some shoes on that day, and on the Saturday previous.

Prisoner. *Q.* How do you know Mrs. Long gave me 9*s.*? *A.* I heard you say they came to 9*s.*, and I saw her give you money.

EVAN BIGGS. I am foreman to Mr. Thomas Bowtell, a shoemaker in Cheapside. The prisoner was shopman there—I sent him with some shoes to Mr. Long, on Saturday the 11th of January, and on Saturday the 18th, he took another pair—the two pairs came to 9*s.*, but he was to leave them if he did not have the money—when he came back, I said, "Did Mrs. Long pay you?"—he said, "No, but you are to send the bill on Tuesday morning"—I sent the bill then, and found he had received it.

JOHN POLLOCK LONG. I was at home on the 18th of January—the prisoner came with the shoes—I saw some silver paid him—how much I cannot say—there were some shillings.

Prisoner. *Q.* How could you see Mrs. Long pay me any money, when you were laughing and hiding by the table? *A.* We were looking just over the table.

THOMAS LONG *re-examined.* I saw somebody paid—he asked for 9*s.*—I said to Mrs. Long, "Have you enough silver?"—she said she had—I cannot say whether it was shillings or half-crowns that were paid.

GUILTY Aged 25.—*Recommended to mercy by the Jury.*—Confined Six Months.

(There was another indictment against the prisoner.)

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584. JANE AUSTIN was indicted for stealing, on the 14th of January, 1 dead fowl, price 4*s.*, the goods of Francis Gosden.

FRANCIS GOSDEN. I am a fishmonger, and live in Gray's-place, Brompton. On the 14th of January I lost a fowl off a shelf in the window.

HENRY GREENWOOD. I am shopman to the prosecutor. About twelve o'clock on the 14th of January, the prisoner came and asked the price of some fowls—I told her—she said they were too dear—she came back in about an hour, and looked at the fowls outside, and I saw her take one and walk away—I went after her, and found it under her cloak—she said she had bought it of a person at the next shop, and gave 2*s.* 8*d.* for it—I went there, and they had not sold her any—it was my master's I have no doubt.

Prisoner's Defence. I went to the next house, and bought this fowl for 2*s.* 8*d.*

STEPHEN CHURCH. I live next door to the prosecutor. The prisoner came to my house, and looked at some fowls, but did not buy one—the one she had was not mine.

GUILTY. Aged 35.—Confined Three Months.

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585. JOHN LLOYD was indicted for stealing, on the 14th of January, 4 knives, value 1*s.* 4*d.*, the goods of James Dangerfield.

AMELIA DANGERFIELD. I am the wife of James Dangerfield, and live in Queen-street, Pimlico. Between nine and ten o'clock on the morning of the 14th of January, the prisoner came to our shop for a halfpenny-worth of nails—I stooped to pick up a piece of paper to put the nails in, and during that time he must have gone to the centre of the window and took the knives—I did not see him take them, but when I went to him the knife which was tied outside the parcel dropped—he took it up, and said he was going

to give it to me—I had swept the shop just before, and know it was not there—I looked in the window, and found the place where they had been empty—in going to the station-house he threw the other knives into a dust-hole, and the policeman picked them up.

Prisoner. I picked them up on the floor, and before I could give them to you you gave me in charge. *Witness.* No—he picked up one, and I took it from him—he did not say any thing about having picked up the others—they were under his jacket.

WILLIAM CROPTON SEVERS (*police-constable P* 113.) I was called, and took the prisoner. On the way to the station-house we came opposite a dust-hole in Ebury-square, and he threw the remainder of the knives in there—here is the one he had first, and these are the others.

(Richard Harris, a porter, Little Queen-street, gave the prisoner a good character.)

GUILTY. Aged 11.—Transported for Seven Years.—Convict Ship.

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586. JONATHAN WISE and ROBERT AYRES were indicted for stealing, on the 19th of January, 5 pairs of boots, value 1*l.* 14*s.*; 5 other boots, value 7*s.*; 1 pair of shoes, value 5*s.*; and 8 other shoes, value 1*l.*; the goods of Joseph Goldney.

MR. BALLANTINE *conducted the Prosecution.*

JOSEPH GOLDNEY. I am a shoemaker, and live in Old Brentford. About twelve o'clock at night, on the 19th of January, my house was on fire—I never saw the prisoners till they were in custody of the police on the Tuesday following—these boots and shoes produced are mine, and were on my premises on the day previous to the night of the fire—I am positive I had not sold them.

JOHN HANSLOW (*police-constable T* 68.) I was on duty at Old Brentford—I saw the prisoners about a quarter-past two o'clock on the night of the fire, about a mile from the premises—Ayres was carrying a bundle under his coat—they were talking to each other—I stopped them—Ayres dropped the bundle—I picked it up, and he tried to get away—I pushed him into a hedge, and I dropped the bundle—Wise took it up, and tried to go off—I took the bundle and the two prisoners—on the way to the station-house, Wise escaped, and Ayres said he did not see why he should be transported by himself when Wise gave him the bundle to carry—about an hour afterwards I apprehended Wise at Strand-on-the-Green, in the parish of Chiswick—these are the contents of the handkerchief that I took on the prisoners—(*producing the articles*)—I have seen a similar handkerchief to this in possession of Wise—I cannot say whether this is it.

Cross-examined by MR. PHILLIPS. *Q.* How many similar handkerchiefs have you seen? *A.* I cannot say—I may have seen a hundred.

GEORGE HALBERT. I am apprenticed to the prosecutor. On the Sunday night on which my master's premises were on fire, I saw Ayres at the door, just before twelve o'clock—I was going in at the door, and he was standing there—in about a quarter of an hour after, I saw him come out with some boots and shoes in his hands—there were some women standing in the road, and he asked them to take them—I did not see whether they took them—he would not let me go into the house at first—he said I had no business there—I do not know Wise, but when I turned round to go for a policeman, I saw another man come out of the house with boots and shoes—I caught him, and asked what he was going to do with them—he

immediately knocked me down in the gutter—I do not know who he was—I saw some people removing the property out of the house, and putting them in a cradle to take to the station-house—the lane in which the prisoners were taken is about a mile from my master's house—it was not in the way to the station-house.

Cross-examined. Q. How many people were round the house? *A.* Twenty, perhaps, but the number increased afterward—about thirty pairs were saved out of the house—I should think there were about twelve women there, and not quite so many men.

(Ayres received a good character.)

WISE—NOT GUILTY.

AYRES—GUILTY. Aged 21.—*Recommended to mercy by the Jury.*
—Confined Three Months.

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587. JOHN LOVEGROVE was indicted for stealing, on the 9th of January, 1 handkerchief, value 1*s.* 6*d.*, the goods of James Palmer, from his person.

JAMES PALMER. I am a hatter, and live in Earl-street, Lisson-grove. About a quarter after eight o'clock in the evening, on the 9th of January, I was walking near St. Giles's church—I felt a tug at my pocket, and turned, and saw the prisoner with my handkerchief in his hand—I had seen it safe a quarter of an hour before—he threw it down at my feet—I picked it up, followed him, and he was taken—it was not an instant from my feeling the handkerchief go, and seeing it in his hand—in going along, he implored me to forgive him—I said I should not, having lost four or five handkerchiefs about the same spot.

SAMUEL RUTHERFORD (*police-constable F* 118.) I was called, and took the prisoner—he resisted very violently, and tried to throw me down—he said if he could get his hands loose, and get his knife out, he would rip my b—y guts up—I found another handkerchief on him—I asked what mark was on it—he said, "C H"—I found a different mark on it.

Prisoner's Defence. I was in one of the courts out of the street—the gentleman came, and said I took the handkerchief.

(James Dumond, a perfumer, of Burlington-gardens, the prisoner's master; and Matilda Beattie, Star-street, gave the prisoner a good character.)

GUILTY.* Aged 19.—Transported for Ten Years.

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588. GEORGE WILSON was indicted for stealing, on the 31st of January, 1 handkerchief, value 2*s.*, the goods of Robert Ord, from his person.

ROBERT ORD. I live in Threadneedle-street. A little after five o'clock on the evening of the 31st of January, I was in Aldgate High-street, with a gentleman—I felt some one press on me behind, and my friend did the same—he turned, and felt his own pocket, and asked me if I had lost my handkerchief—I felt, and found I had—at that instant the prisoner was trying to get away between us and the wall—I saw part of my handkerchief sticking out of his breast—the policeman came, and took the handkerchief out—this is it—(*examining one*)—I had seen it safe about ten minutes before when I left Threadneedle-street.

DANIEL PAMPLETT (*City police-constable, No.* 343.) I saw the gentleman turn round, and suspecting something was wrong, I laid hold of the prisoner—I found this handkerchief between his shirt and waistcoat.

Prisoner's Defence. I picked it up, and came up at rather a quicker pace than the gentleman—they laid hold of me.

GUILTY. Aged 17.—Confined Three Months.

589. JAMES WILLIAMS was indicted for stealing, on the 16th of January, 1 purse, value 6*d.*, 3 sovereigns and 7 shillings; the property of Martha Lyall, from her person.

MARTHA LYALL. I am a widow, and live in Craven-street, Strand. I was coming through the gate of Buckingham Palace, about three o'clock in the afternoon of the 16th of January—there was a small crowd—I felt the prisoner's hand on me, he ran away—I said, "Take him, he has robbed me"—I felt, and I had lost my purse—a gentleman took him, the prisoner said, "I saw a boy rob you, let me run and take him"—an officer came and took him—I received information going along the Bird-cage-walk, and said to the officer, "Search him"—I saw him find the purse, hanging in his boot, under his trowsers—it contained three sovereigns and 7*s.*—it was mine.

Cross-examined by MR. PAYNE. *Q.* What do you know it by? *A.* By there being two different slides on it, one much larger than the other, and I know the purse itself—I had examined it when I had gone to the fishmonger's, just before I went into the Park, and changed a half-sovereign—the person who gave me information is not here.

ROBERT DAVIS (*police-constable A* 212.) I took the prisoner—I saw the tassel of the purse at the bottom of his trowsers—I took it from him—it contained three sovereigns and seven shillings.

Cross-examined. *Q.* Have you kept it ever since? *A.* Yes, it was under his trowsers—I examined his trowsers, and I found he could have put it into the pocket, or outside—there were three sovereigns in one end and seven shillings in the other—the prosecutrix told me there was that sum in it—I searched him, in consequence of what she told me.

GUILTY. Aged 16.—Transported for Ten Years.

590. ANN LAMBERT was indicted for stealing, on the 30th of January, 9½ yards of printed cotton, value 6*s.* 6*d.*, the goods of Zephaniah Simpson.

EDWARD SIMPSON. I am assistant to Zephaniah Simpson, a linen-draper in Farringdon-street. On the 20th of January, about one o'clock, my attention was directed to the shop-window, by one of my brothers, and I missed a piece of print from the window—the prisoner was at that time sitting on a stool in the shop—she had come to ask for a piece of calico—she got up off the stool, and appeared much confused—she then sat down, got up a second time, and I perceived something bulky under her shawl—as she was stooping the second time to sit down, I saw the bulk remove from under her shawl, and this piece of print dropped on the floor—I had said nothing to her about the print, but I have no doubt she heard what passed between me and my brother.

Cross-examined by MR. DOANE. *Q.* What time was this? *A.* About one o'clock in the day—we have ten or eleven shopmen—she had applied to my brother, and was waiting to be served—this piece of cotton was on a board in the window over her head—she was sitting under it.

STEPHEN SANDERS (*City police-constable, No.* 92.) I was sent for, and took the prisoner—I have the cotton. NOT GUILTY.

591. JOHN COLLINS was indicted for stealing, on the 16th of Ja-

nuary, 1 handkerchief, value 5*s*., the goods of Henry Coward, from his person.

HENRY COWARD. I live in Halford-street, Tottenham Court-road. About two o'clock, on the 16th of January, I was in Parliament-street, and received of information from the constable—I looked round, and saw my handkerchief.

Cross-examined by MR. BALLANTINE. *Q.* Did you not see the prisoner? *A.* Yes, the constable had got him—there were persons in the street—I will not swear that there were not other persons near me.

GEORGE KEMP (*police-constable N* 82.) I was on duty in Parliament-street, in private clothes—I saw the prisoner, who was behind the gentleman, put his hand into his pocket, and take out his handkerchief—I took him with it in his hand.

Cross-examined. *Q.* Who was with the prisoner? *A.* No one—I saw no one older near him—I have been in the police ten years—it may be the habit of older persons to send boys to steal—I knew nothing of the prisoner before.

(The prisoner received a good character.)

GUILTY. Aged 16.—Confined Three Months.

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592. ELLEN WORRELL was indicted for stealing, on the 9th of January, 1 sheet, value 2*s*. 6*d*.; 1 pillow-case, value 1*s*.; 1 towel, value 1*s*.; 9 napkins, value 4*s*.; 2 breast-pins, value 10*s*.; 2 petticoats, value 2*s*.; 2 pelisses, value 8*s*.; and 1 blanket, value 3*s*.; the goods of Robert Mulock.

ELIZA MATILDA MULOCK. I am the wife of Robert Mulock, and live in Spring Garden-place, Pimlico. The prisoner took an unfurnished lodging on the first floor—I missed the sheet and other things stated, from my own apartments—these are mine—(*examining them.*)

EDWIN ALDERMAN. I am shopman to Mr. Thompson, a pawnbroker, in Grosvenor-row. I have a petticoat, pawned by the prisoner on the 6th of January, and some napkins and towels as well—the petticoat and one towel were in the name of A. Worrall.

THOMAS WORSFALL (*police-constable B* 136.) I went to the prisoner's room in the prosecutor's house, and found in the fire a number of duplicates, almost destroyed, and by them I found these things, and some others which the other pawnbroker gave up, and have not come here—the prisoner appeared in great distress—I found twenty-one duplicates of things which had been given her.

GUILTY. Aged 30.—Confined Three Months.

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593. JOHN DRISCOLL was indicted for stealing, on the 17th of January, 11b. weight of pork, the goods of Thomas Curties.

EDMUND CURTIES. I live in York-street, Westminster, with my brother Thomas, a cheesemonger. On the evening of the 17th of January I was engaged behind the counter—I had a piece of pork there outside the window—I had seen it a quarter of an hour before the policeman brought the prisoner back to me with it—I knew it.

GEORGE BANHAM (*police-constable B* 84.) I was in York-street about ten o'clock in the evening, and saw the prisoner pass me—I turned, and looked after him, saw him put his hand into the window, and take a piece of pork—I took him with it in his hand.

Prisoner's Defence. I had just come from Reading, and met a young

man—he said he wished to go and enlist—I took him to Westminster—he wanted something to eat—I pawned my jacket for a little money—I told the policeman so—I was going to buy this pork—I had not got from the window. *Witness.* He had got twelve or fourteen yards off with it.

GUILTY. Aged 20. Confined One Month.

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594. ELIZABETH HARLEY was indicted for stealing, on the 1st of January, 8 spoons, value 1*l.* 6*s.*; 1 pair of nut-crackers, value 1*s.*; 5 knives, value 3*s.*; and 4 forks, value 1*s.*; the goods of Maurice Evan Evans.

MR. CLARKSON *conducted the Prosecution.*

SPENCER LEE. I am in the service of Mr. King, a pawnbroker, in High Holborn. I produce a silver table-spoon, pawned on the 1st of January, by the prisoner, for 8*s.*, in the name of Williams—I said the initials on it did not correspond with the name she gave me—she said it was hers.

MARIA STONE. I am cook in the service of the prosecutor. On the 31st of December the prisoner was employed as a charwoman—next day I missed a table-spoon, nine wine-glasses, some knives and forks, a pair of nut-crackers, and a silk handkerchief—on the 14th of January I accompanied Sergeant Waller to her lodging, in Tash-street—I went into her apartment, and found the knives and forks, and the nut-crackers—they are my master's, and this is the spoon I missed.

CHARLES WALLER (*City police-sergeant, No.* 8.) I went to the prisoner's lodgings, and found this property—I found the prisoner, and took her—I asked her if she knew Mr. Evans—she said, "Yes"—I went to a box, and caught up this cloth—she said it was nothing but a cloth—I found the knives and forks in it.

MAURICE EVAN EVANS. This property is mine, and I have the fellow-spoon to this—we lost some dessert spoons as well—they are not found.

GUILTY. Aged 29.—Confined Six Months.

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595. ROBERT DAVIS was indicted for stealing, on the 15th of January, in the dwelling-house of John Bowie, 88lbs. weight of coffee, value 7*l.*; his goods.

JOHN BOWIE. I am a grocer, and live in Fetter-lane. On the 15th of January I had a bag of Ceylon coffee, an original package—I missed it—it was placed four yards from the door, in the shop—it is my dwelling-house—we had roasted some coffee out of it the night before—I know the bag from the mark on it.

Cross-examined by MR. PAYNE. *Q.* Is the bag here? *A.* Yes—the mark on it is "C. C. and Co.," and the weight—I had it about the 7th of January—this is the merchant's mark, and would apply to other bags, but the No. 2 would not.

WILLIAM FINN (*City police-constable, No.* 445.) I produce the bag—the prisoner was given into my charge at the corner of Fetter-lane, by Evans, an officer.

Cross-examined. *Q.* What time was it? *A.* About ten minutes past eight o'clock—Minto gave me the coffee—Plough-court is a little way along Fetter-lane—Mr. Bowie's shop is No. 50.—it is in the parish of St. Andrew, Holborn—I do not think Plough-court leads anywhere.

ALEXANDER MINTO. I am in the employ of Mr. Bowie. I missed the bag—I went to the door, and inquired, and in a few minutes, Wakefield gave me information—I went to Plough-court—I saw the prisoner,

and called out "Stop thief"—he ran before me to the end of the court—I pursued, till he came to No. 15—he went in, and down into the cellar—as soon as I got into the house I saw the coffee behind the door—I stood there—the prisoner stepped up, and I apprehended him, and took him to my master—when I saw him running in Plough-court, he had no coffee.

Cross-examined. *Q.* You waited till he came out of the cellar? *A.* Yes—I went in after him in about a minute—when I got into the court he was coming up again from where I found the coffee, and when I called "Stop thief," he turned and ran.

COURT. *Q.* When you were going down Plough-court, the prisoner was coming up from this house, meeting you? *A.* Yes—I called, he turned, and ran into the house—I went in, and saw the coffee.

GEORGE WAKEFIELD. I am carman to Mr. Clark, of Fetter-lane—I was in Fetter-lane on the 15th of January at half-past seven o'clock, and saw the prisoner and two others about—I watched them some time—I then went into the yard, and when I came back I saw the prisoner and two other men tying up a bag at the corner of Plough-court—I saw Minto at the door, and asked what he had lost—I saw them go into No. 15, Plough-court, with the coffee.

Cross-examined. *Q.* Did you see the three go in with the coffee? *A.* No—one of the others carried it—the prisoner and one of the others lifted it on another's back—I saw them carry it down the court—their backs were turned to me.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Nine Months.

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596. TIMOTHY REGAN and MARY WOOD were indicted for stealing, on the 7th of January, 1 purse, value 2*s.* 6*d.*; 4 shillings, and 4 pence; the property of John Thomas Brigg, from the person of Martha Sarah Brigg; and that Wood had been previously convicted of felony.

SARAH BRIGG. I am the wife of John Thomas Brigg, and live in Lamb's-passage, Chiswell-street, St. Luke's. On the 7th of January I sent my little girl, Martha Sarah Brigg, who is six years old, for a loaf, and gave her a five-shilling-piece in a steel purse, to pay for it—soon after, I heard her scream—I ran out and saw her and Palmer—my daughter had the bread and the basket, nothing more—she ought to have had 4*s.* 4*d.* change—she told me all about it, and then Palmer came up.

ELIZA ROBERTS. I am the wife of George Roberts, and live in Chiswell-street. Mrs. Brigg's little girl came and bought a loaf on the 7th of January—I gave her 4*s.* 4*d.*—I put it into the steel purse a few minutes after four o'clock.

THOMAS JOHN PALMER. On the 7th of January, I was in Lamb's-passage—I saw Wood take the money out of the child's hands—it was in a purse—she stood round and took it out of her hand—Regan was on the side of the child—he held his coat-tail up, so that I should not see it—I am sure of that—when they got it, they ran down Lamb's-passage—I gave information.

ROBERT EDWARD DOCKING. I keep the Coach and Horses public-house, Blue Anchor-alley, Bunhill-row. A little before five o'clock that day the two prisoners and another came into the house, and called for a pint of fourpenny ale—I put it on the counter—they told me to make a pot of it—they put four penny-pieces down on the counter, and told me to take

the chill off the beer—I put it on the fire, a person came to the door, and *shoved* it open, they then all ran out, and left their ale and money—Mrs. Brigg came in directly after they went out.

JAMES BRANNAN (*police-constable G* 20.) On Monday, the 13th of January, I went down Whitecross-street, and at the corner of Cherry Tree-alley I saw Regan—I took him, and told him it was for stealing a purse from a little girl—he said he was not there—I gave him in charge, and went lower down, and found Wood standing with two other females—I took her to the station-house, and sat between her and Regan—I got up, and I heard Wood say, "Don't *split*, or we shall be *booked*, don't tell them that I know Pinfold or you."

EDWARD LOW (*police-constable N* 114.) I produce a certificate of Wood's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

REGAN*—GUILTY. Aged 15.—Transported for Ten Years—Convict Ship.

WOOD*—GUILTY. Aged 18.—Transported for Ten Years.

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597. GEORGE COSTON, *alias George Williams*, was indicted for stealing, on the 7th of January, 19 yards of woollen cloth, called, "Doe-skin," value 2*l.* 13*s.*, the goods of William Palmer.

JAMES CHURCHLOW. I am shopman to Mr. William Palmer, a woollen draper, in the City-road. On the 7th of January, about five minutes past six o'clock, the prisoner and another young man were standing outside the window talking together for four or five minutes—they then both came in together—the prisoner asked me to show him some buttons which were in the window—while I was stooping to get them, the other one who stood behind the prisoner, took the roll of cloth from a shelf, and in going out he struck the door—I jumped over the counter, and could not see him—the prisoner tried to make his escape, and said, "Why don't you run after him, you will catch him?"—the prisoner said his name was George Williams, that he was a writer and grainer, living in Hackney-road, and at the station-house he said his name was George Coston—he said his family were respectable—the cloth was worth 2*l.* 13*s.*

Cross-examined by MR. CLARKSON. *Q.* How many persons were in the shop? *A.* Only myself—Mr. Palmer was up stairs at tea—the officer took the prisoner to the station-house.

WILLIAM DAMEN (*police-constable G* 161.) I was called about a quarter-past six o'clock on the 7th of January, and took the prisoner—he said his name was George Williams, and when he was at the station-house he said it was George Costan.

GUILTY.* Aged 29.—Transported for Seven Years.

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598. WILLIAM HOWARD was indicted for stealing, on the 18th of January, 1 pair of boots, value 1*s.* 6*d.*, the goods of William Langabeer.

ANN LANGABEER. I am the wife of William Langabeer, a boot and shoemaker, in Long-lane, Smithfield. On the 18th of January, about half-past ten o'clock, I saw the back of the prisoner turning out of the shop—I followed, and called "Stop thief," but I did not overtake him—these boots were picked up and given to me—I did not see him drop them—they are my husband's—I am sure the prisoner is the person I followed out of the shop.

JOHN ROBINSON. I live in Philpot-row, Broad-wall. I was at the

corner of Charter-house-street, and heard a cry of "Stop thief," and at the same instant I heard something fall—I turned, and saw these boots on the ground, and the prisoner was running from them—I cannot say that he dropped them—I followed him to Carthusian-street, where he went into a shop—I went and gave him into custody.

SAMUEL GALL (*City police-constable, No.* 384.) I took the prisoner, and have the boots, which I got from the prosecutor's shop.

Prisoner's Defence. I was going to buy a herring, and to have half-a-pint of coffee for my breakfast—the witness came in and took me.

GUILTY. Aged 16.—Confined Three Months.

Sixth Jury, before Mr. Sergeant Arabin.

599. MARY ANN M'CARTHY was indicted for stealing, on the 27th of January, 28 sovereigns, and 1 half-sovereign, the monies of Henry Thompson, from his person: and CHARLES ROONEY, for feloniously receiving the same, well knowing it to have been stolen; against the *Statute*, &c.: the said Charles Rooney was also charged with feoniously harbouring, comforting, and maintaining the said Mary Ann M'Carthy, well knowing her to have committed the said offence; contrary to the Statute, &c.

MR. PAYNE *conducted the Prosecution.*

HENRY THOMPSON. I am master of the brig *John Fenwick*, which comes from Stockton to London. On Monday, the 27th of January, I received 45*l.* in sovereigns and half-sovereigns, on the ship's account, between three and four o'clock in the afternoon—I put the money into a bag which had a division in the middle of it—I put some of the money in one side and some in the other—I put the bag in my left-hand trowser's pocket—I went down to Blackwall—I was going to my ship—I went into the Two Mariners public-house, and saw M'Carthy standing facing me—she came towards me, and said, would I give her something to drink—I said, no—she said, "Will you go across the way with me?"—I went with her to a room on the ground-floor of a house opposite—as I went in I observed the tall figure of a man, but I did not take any further notice of it—I had some silver in my right-hand pocket, and I took a shilling out, and gave it to M'Carthy when I went into the room with her—I put my coat off, and laid it down on a chair—I took nothing off but my coat—I was on the bed with M'Carthy—I cannot say for how long—I had not taken my money out of my pocket—I am sure it was in my pocket when I was on the bed with M'Carthy—after I had been on the bed some time, I found every thing was not correct, as I found M'Carthy was making motions, and putting her hand down as if in the act of robbing me—I then got up—she got up also, and as she got on the floor, my key, which had been in my right-hand pocket with my silver, fell from her person on the floor, but I did not see any silver fall from her—upon that, I put my hand to feel if my bag was safe, and it was gone out of my left-hand pocket—the key and the silver were gone from my right-hand pocket, and the pocket was turned inside out—when the key fell, she stooped and picked it up—I seized hold of her hand, and took the key from her, and one shilling, which was in her hand—she directly sprang out of the room—I then searched for my bag, and found it on the lower part of the bed, on the counterpane—I found that the quantity of money was not the same as it had been—the bag was quite light—I put on my coat, and sprang out of the room as

quickly as possible, but I was not able to find M'Carthy—I called a policeman, and we searched in different parts about there, to find her, but we could not—we then went to a gas-lamp and counted the money—we found 16*l.* 10*s.* in one side of the bag, and the other side was quite empty—there had been no one in the room, to my knowledge, beside myself and M'Carthy—there was no light in the room but from a little fire—I might be on the bed with her ten minutes or a quarter of an hour—I did not take off my trowsers—we were on the top of the bed-clothes.

MR. HORRY. *Q.* What time did you first get this money? *A.* Between three and four o'clock in the evening—I think it was not earlier—it was nearly twelve o'clock when I met M'Carthy—I had in the meantime been at my undertaker's for three or four hours, and I had to go on different errands in the Highway—I was always alone—all the drink I had in the course of that afternoon was two pints of porter—my undertaker keeps a public-house, and I went into another public-house, where I met some masters, and there I had one pint of beer, but nothing else—I stopped there perhaps an hour—I received the money in Lombard-street, and met the prisoner down at Blackwall—I know my purse was safe, the same as I had it from the banker's—I had put my hand to it more than once, and I felt the weight of it, and the button was on the pocket—when I went into the public-house where M'Carthy was I had my coat buttoned—my purse was in my left hand pocket, and the key in the right—I had my trowsers down when I was on the bed with her.

Cross-examined by MR. BALLANTINE. *Q.* Where do you live? *A.* At Whitby, in Yorkshire—I am a married man.

MR. PAYNE. *Q.* How long had you been away from home? *A.* About twelve months.

JAMES MANN (*police-sergeant K* 31.) I went after the prisoners on the 28th of January—I found them, about seven o'clock in the evening, in High-street, Shadwell, walking one after the other—I went up to the man, and said to him, "Rooney, I want you respecting a captain who has been robbed in Vinegar-lane"—he said, "Oh, nonsense, you don't want me"—I said, "You had better come with me to the station-house"—we went for a few yards, and then he said, "Well, I am d—d, I am put into this very prettily"—the other sergeant who was with me took M'Carthy—at the station-house I found on Rooney nine sovereigns, 25*s.* 6*d.* in silver, and 1*s.* 9*d.* in copper, a gold mourning-ring, a knife, four yards of Irish linen, a yard of lawn, and half-a-dozen earthenware plates—while I was searching him, M'Carthy was present, and she called out several times, "The more b—y fool you, Charley, to allow him to search you"—I had asked Rooney, before I searched him, what he had about him, but, in consequence of the confusion, I could not catch his answer.

Cross-examined by MR. HORRY. *Q.* When the prisoners were first taken before the Magistrate, were they not discharged? *A.* No—M'Carthy had been taken that morning to the station-house, but was discharged by sergeant King because he could not find the captain.

Cross-examined by MR. BALLANTINE. *Q.* You had some difficulty in finding Captain Thompson? *A.* Yes; that was in consequence of his giving a false name and address.

DANIEL DERRIG (*police-sergeant K* 27.) I was at the station-house, on Tuesday evening, the 28th of January, when the prisoners were brought in—I heard sergeant Mann ask Rooney what he had about him—he said, "I have nothing about me only what she gave me"—M'Carthy

was present and heard it, and she said, "You have nothing about you only what you work hard for"—in a short time Rooney said, "You laid a nice trap for me this morning."

Cross-examined by MR. BALLANTINE. *Q.* You were able to hear all this, though your brother officer says there was too much noise for him to hear it? *A.* I was.

COURT. *Q.* Did you make a memorandum of what was said? *A.* Yes, about five minutes after they were locked up.

SAMUEL GISSING. I am an apprentice to Mr. Child, a pawnbroker, in High-street, Shadwell. On Tuesday morning, the 28th of January, the two prisoners came to our shop, about twelve o'clock—Rooney asked me for some rings—I showed them some—I cannot say which spoke first, but M'Carthy said, "I want a ring for my husband"—the rings I showed them would not do, and they went away—M'Carthy was not sober—she said she wanted to purchase a glass and a great number of things—she offered money for a glass—Rooney said, "Never you mind what she says, you mind what I say"—M'Carthy said to him, "Give me 5*l.*, or, by G—d, I will give you in charge"—directly afterwards she asked him for 3*l.*—he gave her some sovereigns, and said, "Take your money, and be d—d"—they went away, and came again about two o'clock, and I showed them this ring, which the officer has produced—I asked 25*s.* for it—Rooney bid me 18*s.*—I refused that, and they went away—they came again between three and four o'clock, and said they would give me a shilling more—Rooney, at last, paid me a sovereign for it, and bought it—he put it on, and said it was rather too small—I said, "It is no matter; when you wash your hands it will go on easily enough"—he said, "It is cheap enough to me," and they went away.

Cross-examined by MR. BALLANTINE. *Q.* Was Rooney sober? *A.* I believe he was.

JOHN SANDERS. My father keeps a linen-draper's shop in Ratcliffe-highway. On Tuesday, the 28th of January, the two prisoners and another person came to the shop—M'Carthy was not sober—they bought some merino, and looked at some Irish linen before they went away—they came again in the evening, and bought some Irish linen for a shirt—Rooney put his hand into his pocket, pulled out a sovereign, and paid me 10*s.* 4*d.* for it.

WILLIAM CLAYTON. I am a broker, and live in Back-lane, Shadwell. On the 28th of January the two prisoners came to my shop, and bought a bedstead, for which Rooney paid me two half-sovereigns—M'Carthy said she wanted to purchase some more things to the amount of 8*l.* or 10*l.*—she asked Rooney to pay for some more things, and he would not—he said she was drunk, and they would come again—she asked him to give her some money.

Cross-examined by MR. HORRY. *Q.* What time was this? *A.* I think about two or three o'clock.

JOHN FOWLER. I keep an earthernware shop in Ratcliffe-highway. On Tuesday evening, the 28th of January, the prisoners came and bought half a dozen plates.

BARTHOLOMEW BRENNAN (*police-constable K* 102.) Vinegar-lane is in my beat—I know both the prisoners—they keep company together, and sometimes live together—on Monday evening, the 27th of January, I saw M'Carthy standing at the bar of the public-house—I saw the prosecutor

come up the lane, and go into the public-house—he stood at the bar with M'Carthy—I did not see Rooney at that time—between one and two o'clock in the morning I saw Rooney standing on the pavement, near the house where M'Carthy lives—he was standing in front of the house—I passed him about twenty yards—I heard a man say, "If I could see a policeman he would make it all right for me"—I cannot tell where Rooney was at that time, but the voice came from the direction where he had stood.

COURT. *Q.* Was it the voice of Rooney? *A.* No, of some other person—I went back, and saw the prosecutor, and he communicated to me what had happened—he described M'Carthy's person—I searched the house, but found nobody there—I counted the gold in the bag, and there was 16*l.* 10*s.* in it.

M'CARTHY—GUILTY. Aged 16.—Transported for Fifteen Years.
ROONEY—GUILTY. Aged 21.—Transported for Fourteen Years.

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600. HENRY JONES was indicted for stealing, on the 25th of January, 1 coat, value 1*l.*; 2 handkerchiefs, value 1*s.*; and 1 pair of gloves, value 6*d.*; the goods of George Edmead.

THOMAS HUSBAND. About a quarter-past seven o'clock on the morning of the 25th of January, I was at the corner of Paternoster-row—I saw the prisoner there—he made three attempts to pull the coat down from the top of the box of Mr. Edmead's van, which was standing unloading meat—on the third attempt it fell down, and he took it into his arms, and walked away with it—I gave the alarm, and followed him—he was taken—he dropped the coat, and it was picked up—this is it—(*looking at it.*)

Cross-examined by MR. PAYNE. *Q.* Where was he stopped? *A.* In the Post-office yard, about thirty or forty yards from where the coat was taken—I am sure the prisoner was the person who took it—I was not two yards from him—I did not stop and speak to the guard of the van—I called to him—I am an iron-plate worker, and live in Peter-street, Cow-cross—I was standing about, as I was out of work, trying to get a job.

GEORGE CARD. I was standing there that morning, and Husband came and told me about the prisoner taking the coat—I jumped down, and ran after him—I saw him with the coat in his possession, and saw him drop it.

Cross-examined. *Q.* Are you quite sure it was the prisoner? *A.* Yes—I followed him till I saw him taken—he dropped the coat by the side of the Post-office—I was three or four yards from him—I came back, and took up the coat.

GEORGE EDMEAD. I drove the van—this coat is mine—I had been absent from the van about ten minutes.

Cross-examined. *Q.* How do you know your coat? *A.* I can swear to it by different marks on it—this handkerchief and shawl, and these gloves and a newspaper were in the pocket of it.

MATTHEW PECK. I am an officer on duty at the Post-office. The prisoner was given into my custody.

Cross-examined. *Q.* Did you go to his house? *A.* Yes—I found his wife and a child in very great distress.

GUILTY. Aged 23.—*Recommended to mercy by the Jury.*—Confined One Month.

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601. TRAYTON TOWNSEND was indicted for stealing, on the 17th

of October, 5 brushes, value 12*s.*; and 3 bed-sackings, value 9*s.*; the goods of Jacob Post, his master.

THOMAS HOBBS KING (*police-sergeant N* 22.) I searched a lodging at No. 18, Lower-road, Islington—the landlord found nineteen duplicates under the table, eight of which related to the property named in this indictment—I then went to Mr. Post's, and from there to the station-house, where the prisoner was in custody—I spoke to him, and when he saw the duplicates he said he owed a great deal of money when he came into Mr. Post's service, that he had taken the articles to raise money to pay his debts, and he intended to return them.

Cross-examined by MR. DOANE. *Q.* Did he not state that he was discharged before he had an opportunity of restoring them? *A.* Yes.

WILLIAM ATTERTON. The prisoner lodged in my house—I found the duplicates when the apartment which the prisoner occupied was searched by the officer—what he has said is correct.

WILLIAM SMITH. I am a pawnbroker, and live in the Lower-road, Islington. I have two brushes and a bed-sacking pawned by a female in the name of Ann Williams.

RICHARD CALVERT. I am a pawnbroker, in High-street, Islington. I have a broom and one bed-sacking pawned by Ann Williams.

FRANCIS BENNETT. I am foreman to Mr. Jacob Post. The prisoner lived with him as his coachman—I can identify these brushes and sackings as Mr. Post's—the brushes have our private mark on them in my own hand-writing.

GUILTY. Aged 25.—*Recommended to mercy.*—Confined One Month.

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602. SAMUEL SUTTON was indicted for stealing, on the 26th of January, 1 shirt, value 3*s.*, the goods of Peter Leach, in a vessel in a port of entry and discharge.

PETER LEACH. I am apprentice on board the ship *Sullivan*. On the 26th of January it was lying in St. Katherine's Docks—the prisoner came to the side of the ship, and asked for some victuals—I gave him some bread and beef—I afterwards left the ship, and when I returned, one of my shirts had been taken from the main-mast—this is it—(*looking at it.*)

THOMAS DODD. I belong to the same ship. The prisoner came on board, and we gave him some bread and meat—Leach went on shore, and left the prisoner on board—he staid on board for three-quarters of an hour, while I went to get my jacket he went away, and when he was gone I missed this shirt—I saw the prisoner on shore in about ten minutes, and he had the shirt on his back—I told him to drop the shirt—he said, "Don't make a noise, or they will give me six months in prison"—this is the shirt.

LOCKYER JOSEPH SWAINSON GRIMWOOD. I am watchman to the Docks. I took the prisoner—this shirt was by the side of him—I found no money on him.

Prisoner. I lost every thing by being cast on shore in Yarmouth Roads last Sunday fortnight.

GUILTY. Aged 22.—Confined Three Months.

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603. WILLIAM JONES was indicted for stealing, on the 16th of January, 1 clock, value 5*s.*, the goods of Christopher Hooper.

GEORGE DYER. I was in Compton-street, Soho. On the 16th of January I had a barrow with a sofa-bed and a clock on it—I went into a public-

house for two or three minutes, and when I came out the clock was missing —I went in pursuit of three men whom I saw going along, and the prisoner, who was one of them, had a bundle—I called "Stop thief," and the prisoner dropped the clock—he was taken into custody.

Prisoner. *Q.* Did you find the clock on me? *A.* You ran in the road, and dropped it in the road.

CHRISTOPHER HOOPER. I live in Drury-lane. This is my clock—Dyer was carrying it for me.

SAMUEL PARSONS. I am an officer. I took the prisoner, and have the clock.

Prisoner's Defence. A man ran against me, and dropped the clock by my side, and this witness came and said I had stolen it.

NOT GUILTY.

OLD COURT.—*Thursday, February 6th*, 1840.

Second Jury, before Mr. Sergeant Arabin.

604. WILLIAM BUTLIN, WILLIAM IVES, and THOMAS BRICE, were indicted for feloniously breaking and entering the dwelling-house of John Gill, and stealing therein, 4 loaves of bread, value 1*s.* 4*d.*, his goods; to which they pleaded

GUILTY.—Confined One Month.

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605. JAMES M'PHERSON was indicted for stealing a quadrant, value 10*s.*, the goods of David Davis; to which he pleaded

GUILTY. Aged 22.—Confined Six Months.

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606. JAMES SCOTT was indicted for stealing 1 watch and chain, value 20*s.*, the goods of William Isaac Davis: and 3 spoons, value 6*s.*, the goods of Henry Tuffnell; to which he pleaded

GUILTY. Aged 35.—*Recommended to mercy by the Prosecutor.*—Confined Six Months.

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607. SARAH SPIERS was indicted for stealing, on the 2nd of November, 4 yards of flannel, value 4*s.*; 4 sheets, value 6*s.*; 3 aprons, value 1*s.*; 7 towels, value 3*s.*; 3 printed books, value 4*s.*; and other goods, of Harriet Warner.

HARRIET WARNER. I am a widow, and live in York-court, Castle-street. I have known the prisoner a good while, and have employed her for three or four months to assist me in washing—I lost the property stated from the up stairs room—I did not miss it till the 20th—she had been at my house on Saturday, the 18th, and had the means of taking it—I suspected her, went with an officer to where she lived, and found some duplicates relating to this property.

Cross-examined by MR. DOANE. *Q.* Have you not known her some years? *A.* Yes, six or seven years, but she has not worked with me all that time—I had nobody else in my employ—the things were not locked up—I always had a good opinion of her.

JAMES BRANNAN. I am a police-sergeant. I went with the prosecutrix to the prisoner's lodging—the prisoner opened the door to me—she gave me up some duplicates—part were in a pocket-book, and part I found between the bed and mattress—I went round to different pawnbrokers, and found the property.

Cross-examined. Q. Is she married? A. I believe so—she has no children, I believe.

JOHN STONE. I am a pawnbroker, and live in Old-street. I produce a number of articles which were pawned by the prisoner at different times.

Cross-examined. Q. When was this flannel pawned? A. On the 18th of November—I am sure the prisoner pawned it.

ALBERT KING. I am a pawnbroker. I have three shifts and two aprons which were pawned by the prisoner.

(*Property produced and sworn to.*)

GUILTY.* Aged 26.—Transported for Seven Years.

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608. SARAH MOORE was indicted for stealing, on the 24th of January, 1 blanket, value 3*s.*, and 1 sheet, value 1*s.*, the goods of William Roddick.

ELIZABETH RODDICK. I am the wife of William Roddick, and live in Old Pye-street, Westminster. The prisoner lodged in a back house of ours for six months—we furnished her room—last Tuesday week I missed a sheet and blanket from it—these are them—(*looking at them*)—the prisoner had left without giving us notice, and had not paid her rent—I do not know how she got her living—when I found her out she said she had not left.

WILLIAM CORNISH. I am a policeman. The prosecutrix came to the station-house for a constable—I went with her to the house, and found the duplicate of the property on the prisoner—I went to the pawnbroker's, and there found the property.

Prisoner. I leave myself to the mercy of the Court.

GUILTY.* Aged 55.—Transported for Seven Years. Recommended to the Penitentiary for One Year.

Before Mr. Justice Williams.

609. HENRY PUDDUCK was indicted for stealing, on the 22nd of January, at St. Marylebone, 2 tea-pots, value 10*l.*, and 1 milk-pot, value 2*l.*, the goods of Mary Lushington, in her dwelling-house; and that he had been before convicted of felony.

WILLIAM HERBERT. I am servant to Miss Mary Lushington, of No. 4, York-place, Baker-street—she is the housekeeper—I have the care of the plate. On Wednesday, the 22nd of January, I was in the kitchen about half-past eleven o'clock in the day-time—the plate is kept in front of the house, in my pantry—I saw two tea-pots and a milk-jug, and other plate, which had just been cleaned, standing on the dresser, about a quarter of an hour before—while I was in the kitchen I heard the area door at the bottom of the steps open, and in about a minute I heard a sort of jingle in the pantry—I went there, and missed two tea-pots and a milk-jug—I saw the prisoner going up the area steps into the street—I went after him, came up to him, tapped him on the shoulder, and said he had something which did not belong to him—he said he had, that he had just picked them up—I got an officer, and had him taken—I was present when two tea-pots, a silver milk-jug, and two packets of blacklead, were produced from his person—he had them in his hand, in a bag—(*looking at them*)—these are my mistress's property—they are silver, and are worth 20*l.*, I should think.

Cross-examined by MR. CLARKSON. Q. Is Miss Lushington here? A. No, she is about seventy years old—her sister lives in the house with her, and she is between fifty and sixty—they have lived together many

years—Mary is the elder sister, and the house and all the property was left to her—the prisoner is the man I saw coming up the steps—I did not see his face going up the steps—I took him within three or four minutes, about thirty yards off—there was nobody else passing.

WILLIAM RANDOLPH DONALDSON. I live in Northumberland-street, New-road. I was passing No. 4, York-place, on the 22nd of January, and saw the prisoner come out of the area about twelve o'clock, or a little before—I saw the witness seize him, and am certain the man he secured is the man I saw come out of the area.

Cross-examined. *Q.* Did you see two other men standing by the rails of the area? *A.* Not then, but when the footman brought him back to the house, I saw two men standing at the corner, about two doors off—they were dressed as mechanics.

WILLIAM HERBERT *re-examined.* I saw two men standing at the rails when I looked—I am quite sure the person I saw going up the steps was neither of those two men, because I particularly noticed his height, and the coat he had on.

THOMAS GANE. I am a policeman. I produce a certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—I know the prisoner to be the person who was convicted by the name of George Fountain.

GUILTY. Aged 30.—Transported for Ten Years.

Before Mr. Justice Coltman.

610. THOMAS POVEY was indicted for stealing, on the 11th of January, at St. Marylebone, 2 coats, value 6*l.* 10*s.*; 1 waistcoat, value 12*s.*; 1 pair of scissors, value 1*s.*; 1 brush, value 2*s.*; 1 pair of gloves, value 9*d.*; 1 pair of steelyards, value 3*s.*; 1 box of grease, value 4*d.*; and 1 gauge, value 7*s.*; the goods of Thomas Biss, in the dwelling-house of Robert Unwin.

THOMAS BISS. I lodge in Queen-street, Edgeware-roa dSt. arylebone, in the house of Robert Unwin—the prisoner came to lodge in the same room with me on the 3rd of January—we were to sleep in the same bed. On Saturday, the 11th of January, I left the room at half-past seven o'clock, leaving the prisoner in bed—I returned about half-past six or seven o'clock in the evening, found my cupboard-door broken open, and my clothes and articles taken—I had left it locked—the bolt of the lock was forced back—the value of my clothes was 7*l.* 9*s.* 1*d.*—both the coats were quite new, and I value them at what they cost, but the other articles I value as they were—the prisoner did not return to his lodging—I saw him again on Tuesday evening, the 14th of January, and gave him in charge—I said I believed he had robbed me—he said it was no such thing, and said he did not know me—I went to the station-house with him, and when he was searched, I saw he had my waistcoat on, and my scissors were found in his pocket.

Cross-examined by MR. PHILLIPS. *Q.* How long had you had the coat? *A.* Not thirteen months—the other things I had a great deal longer—the articles would not fetch 7*l.* 9*s.* 1*d.*—that is their value to me—one coat I had not had six months, and the other was a great coat which I had not worn above two or three times—Alice Sharp is landlady of the house, but not of the lodging—Unwin lives in the house—I have lived there fourteen years, and know his Christian name—he goes by the name of Robert Unwin—I have heard him called so.

THOMAS ALLEN. I am a policeman. I took the prisoner into custody, from Biss, who secured him in the street—I took him to the station-house, and searched him—he had two outside coats on, the one he has on now, and a pilot-coat over it—four waistcoats and two shirts—the prosecutor claims one of the waistcoats, which I produce.

THOMAS BISS *re-examined*. This is my waistcoat.

GUILTY of Stealing under 5*l*. Aged 21.—

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611. THOMAS POVEY was *again* indicted for stealing, on the 14th of January, at St. Marylebone, 3 waistcoats, value 1*l*.; 2 coats, value 4*l*. 15*s*.; 4 shirts, value 1*l*. 4*s*.; 3 handkerchiefs, value 9*s*.; 1 pair of boots, value 10*s*.; 1 tobacco-box, value 2*s*.; 2 cigar-cases, value 2*s*.; and a ½lb. of bees-wax, value 6*d*.; the goods of Edmund Goodfellow, in the dwelling-house of William Murchie.

EDMUND GOODFELLOW. I lodge at No. 4, Bird-street, in the house of William Murchie, in the front room, second floor. On Saturday, the 11*th of* January, the prisoner came to lodge there, and slept with me—on Tuesday morning, the 14th, I got up a little before eight o'clock, and left the prisoner in bed—I returned about five o'clock in the evening, and missed all my clothes out of the box, besides things hanging in the room—I had left the box locked—I gave information at the station-house on Tuesday, the 14th, and the prisoner was taken shortly afterwards—I was sent for to the station-house, and saw the policeman take from him two waistcoats and a shirt, and a pair of boots off his feet, which were mine—the value of all I lost is about 9*l*.—I am sure it is above 5*l*.

GUILTY. Aged 21.—Transported for Ten Years.

Before Mr. Justice Williams.

612. JANE DOYLE was indicted for stealing, on the 20th of January, 1 cloak, value 7*s*., the goods of Edward Henry King.

EDWARD HENRY KING. I am a general salesman, and live in Tothill-street, Westminster. About half-past three o'clock on the afternoon of the 20th of January, in consequence of information from Mr. Martin, I looked at my door, and missed a brown cloth cloak, which I had seen safe about an hour before—Smith, my young man, brought the prisoner back to the shop directly, with it on her back—it was not outside the shop.

FREDERICK MARTIN. I am a cheesemonger, and live opposite Mr. King. On the afternoon of the 20th of January, about three o'clock, I was standing at my door, and saw the prisoner come out of the public-house, which is next door but one to the prosecutor—she took the cloak down from the door, put it on her back, and returned into the public-house again—I am sure she is the woman—I did not know her before—I directly went over and informed Mr. King—his young man fetched her out of the public-house with the cloak on, and gave her in charge—I should say it was the same cloak she took from the prosecutor's door—she had no cloak on before she took it, and it appeared the same—she was very much intoxicated at the time, and staggered very much.

JAMES SKELTON. I am a policeman. I was fetched to the prosecutor's, and took the prisoner into custody—the prosecutor gave me the cloak—he had taken it from her previous to my getting there—the prisoner had been drinking, and appeared more drunk afterwards.

(*Property produced and sworn to.*)

Prisoner's Defence. I have no recollection of it—I am not guilty.
(The prisoner received a good character.)

GUILTY. Aged 31.—Confined One Week.

First Jury, before Mr. Recorder.

613. RICHARD GOLDEN and JAMES BAKER were indicted for stealing, on the 12th of December, 5 handkerchiefs, value 21*s.*, the goods of Isidor Levinson; and EMANUEL MYERS, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

MR. RYLAND *conducted the Prosecution.*

CAROLINE LEVINSON. I am the wife of Isidor Levinson, a hosier and glover in the Haymarket. One Thursday afternoon, I think the 12th of December, the prisoners, Golden and Baker, came into the shop together—Baker asked me for a pair of white cotton stockings—I showed them some, after looking at him for a minute or two, as he was extremely agitated when I came forward to him—I took the stockings off a shelf—I had no occasion to move from where I stood, as the shelf was within reach—I opened the stockings for them to look at—I looked at the prisoner Baker, and being alone, I did not judge it prudent to accuse him at the moment—there were some handkerchiefs on the counter, and when I produced the stockings, I missed the handkerchiefs—I said, "There were some crimson silk handkerchiefs lying here not a minute before, no person has been in the shop, you must have taken them?"—on which Baker said, "We are respectable young men, we came in here to buy, not to steal, my father's name is Taylor, and I reside in Bond-street"—I asked Baker to take off his hat, which he did instantly—I found nothing there—I then asked him to turn out his pockets, which he did, and I found nothing there—I looked at Golden, and he did something with his hat which he took off, and held before his eyes—I requested him to take off his hat, which he did, and I found nothing—I then saw his left side pocket very bulky, and requested him to turn that out, and I should be satisfied, on which he said something to his companion, which I did not understand, and they instantly rushed out of the shop—my servant came in while I was talking to them, and came round the counter to me, and stood by me till the two prisoners ran away—she ran out after them—I went to the door and called "Stop thief"—I saw Baker go up Norriss-street—Golden ran towards Coventry-street with the pair of stockings naked in his hand—he had tendered me half-a-crown the instant he came into the shop—I had not sold him the stockings—they came to 2*s.*, and I told him so—he ran away, leaving the half-crown on the counter without waiting for change—I did not see them again till they were in custody at Bow-street—Sergeant Pocock brought the handkerchiefs to my shop afterwards—nobody had been in the shop after I had seen the handkerchiefs safe on the counter, and nobody had the opportunity of taking them, except one of the two prisoners.

Cross-examined by MR. PAYNE. *Q.* What should make the prisoner agitated? *A.* I was convinced he had the handkerchiefs, or he had passed them to the other—I was going into my parlour, when they entered the shop, and could not be seen—it was about two o'clock—I never saw either of the prisoners before, and it was about a fortnight before I saw them again—I do not know the date—it could not be a month, because I told Mr. Twyford it was a fortnight that day—when I asked Golden to

turn out his pocket, I pointed to his pocket—they were seven or eight minutes in the shop—my servant is not here.

THOMAS POCOCK (*police-sergeant F* 13.) I was on duty on Tuesday, the 31st of December, in Belton-street, Long-acre, between eleven and twelve o'clock in the morning, and saw the prisoner Myers go into No. 12, in that street, which is a broker's-shop, with an empty bag wrapped upunder his arm—he was in there about three-quarters of an hour—he then came out, and had the bag under his arm still in the same state, and went towards Long-acre—I watched him—he did not go out of my sight—he went about one hundred yards up Belton-street, towards Long-acre—I saw a young female come out of the same house as he had come out of—she ran up the street, stopped Myers, and brought him back to No. 12—I still kept my eye on the house, and in about a quarter of an hour he came out again, with the bag on his shoulder, very bulky—he went up Belton-street, towards Long-acre—I followed, and stopped him in Long-acre, and asked him what he had in his bag—he said, "Only a few packs of cards"—I told him I was not satisfied, he must go with me to the station-house, which he did—I searched his bag there, and found six packs of playing-cards, and a number of handkerchiefs and other things—when I pulled out the silk-handkerchiefs he said, "That is my property; I bought it in the regular way of trade, down in Cutler-street, Houndsditch"—I know Cutler-street is a place for things of that sort—I did not apprehend Golden and Baker, the person who did is not here.

Cross-examined by MR. PHILLIPS? *Q.* On looking at your deposition, I do not think you used the word *only*, but that he said he had a few packs of cards? *A.* He said a few packs of cards—I have made inquiry respecting his character—I have known him myself by sight for years—if he had been in trouble I should have known it—as far as I know he is a respectable dealer.

MRS. LEVINSON *re-examined.* These are my husband's property, and were on the counter at the time in question.

MR. PAYNE? *Q.* What do you know them by? *A.* By the make—I hemmed them myself—they are India silk, printed in London, the best that can be procured—they were separate handkerchiefs when I lost them, and were lying in a pile—I missed them before I spoke to the prisoners—I had put them straight not a minute before.

(Michael ———, bricklayer, New-street, Golden-square, deposed to Golden's good character.)

GOLDEN—GUILTY. Aged 20.
BAKER—GUILTY. Aged 19. } Transported for Seven Years.
MYERS—NOT GUILTY.

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614. JOSEPH LINAN was indicted for stealing, on the 28th of December, 13 yards of silk, value 2*l.* 12*s.*, the goods of Zachariah Watkins; and EMANUEL MYERS was *again* indicted for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

MR. RYLAND *conducted the Prosecution.*

CHARLES COSSUM. I am shopman to Zachariah Watkins, a trimming-seller in Regent-street. On the 28th of December, about eight o'clock in the evening, the prisoner Linan came into the shop alone, and asked for a a halfpenny-worth of needles, I served him with them—there were thirteen yards of silk in two lengths, on a wooden roller in the shop when he came

in—I saw it on the counter about ten minutes before he came in—he left the shop with the needles—there were other people selling in the shop, but not where I was—it is a very large shop—there were a few other customers, but nobody near that part of the counter—I missed the silk ten minutes or a quarter of an hour after he was gone—the roller was left on the floor, on the customer's side of the counter, but the silk was gone—this is it—(*looking at it*)—it cost 4*s.* a yard—there is eight yards and five yards—it was produced to me at Bow-street about a week afterwards—he left the shop as near eight o'clock as possible—our shop is about half a mile from Belton-street, or not quite so far—he was quite a stranger.

THOMAS POCOCK. I am a police-sergeant. I was on duty on Saturday night, the 28th of December, about half-past eight o'clock, in Belton-street, Long Acre, which is about half a mile from Regent-street—I saw Linan come out of No. 12, in company with the two prisoners in the last case, Golden and Baker—I did not see them go in—they had nothing when they came out that I could see, and I let them pass—on the Tuesday following, the 31st of December, between eleven and twelve o'clock in the morning, I saw Myers come out of the same house, with a bag on his back—I stopped him, and asked him what he had in his bag—he said, "A few packs of cards"—I took him to the station-house, and found in his bag these two pieces of silk, six packs of cards, a pair of old trowsers, and some handkerchiefs—when I pulled it out, he said, "That is my property; I purchased it in the regular way of business, in Cutler-street"—I had heard of this robbery about five minutes before Linan and the other two came out of the house.

Cross-examined by MR. PHILLIPS. *Q.* This is the same occasion as you gave evidence of in the last case? *A.* Yes—there were some silk handkerchiefs, a piece of serge, one piece of black handkerchiefs, five in number, and another piece two in number, in the bag.

COURT. *Q.* Did you go to Cutler-street to make inquiry? *A.* I did, but could not find any body that he purchased them of—these are in pieces, not single handkerchiefs.

Linan's Defence. I know nothing at all about it.

MR. PHILLIPS *called*

LEWIS LEE. I am a tailor, and live in Cutler-street, Houndsditch. I have worked for one house of business twenty-one years—I work for two wholesale houses—there is a mart held in Cutler-street, and hundreds of persons are assembled there every day—that is well known—Myers has been in the habit of attending there eight years, regularly every day, buying and selling—it is a place where every description of article is bought and sold—I saw Myers in Cutler-street on Monday, the 30th of December—he had a black bag under his arm—he said, "Lee, I have got something in my bag that will suit you"—I said I would look at it, and he showed me two remnants of striped serge—the smaller remnant that I saw was much more faded than the large one—(*looking at the silk produced*)—I cannot see at night whether this is so—yes, here it is—it is discoloured—this is the serge—it is silk serge—when we buy it we ask for that—I do not know what it is made of—it is silk and serge, not purely silk—it is mixed with a sort of worsted—I should call it silk—I declined to buy it of Myers, on account of its being faded—I had previously been offered that very same article for sale in the market by another person, and as soon as Myers showed it to me I said I had seen that same silk before, and had declined to buy it on

account of its being faded—I saw some handkerchiefs in his possession at the time—I cannot tell of what description.

MR. RYLAND. *Q.* Are you a master tailor? *A.* Yes—I have resided at No. 4, Cutler-street, two years, and before that I lived ten years in Harrow-alley, which is in the same market—I have known Myers between seven and eight years—we buy and sell any thing in Cutler-street—we do not ask where the things come from—it was a tall thin man that offered me the silk—I have seen him sometimes in the market—I should know him again if I were to see him—I cannot tell who he is—I have no idea of his name or occupation—I frequent the market every day in the week, and know nearly every body there—this silk laid on a stall—I first purchased three gross of black buttons of the person—after that I saw this silk there, and said, "How much the serge?"—he said, 3*s.* 3*d.* a yard—I examined it closely, and said it would not suit me, it was faded—I could buy it at 3*s.* 6*d.* a yard—I was about ten minutes in conversation with the person—he was quite a stranger to me—I had never dealt with him before—I have not seen him since—I have attended the market regularly, but he has never been there since.

COURT. *Q.* Is the business carried on at stalls in the street? *A.* Yes; people stand at stalls, and display their goods—other persons have the tall thin man's stall now—the people who live in Cutler-street put stalls outside their doors, on the pavement, and in the road, and people pay 3*d.* and 6*d.* for putting their things there for the day—there were various other things on this man's stall, trowsers, and handkerchiefs, and remnants of cotton—there were various sorts of handkerchiefs, but I did not notice them, as it is an article that does not suit me—I do not know Belton-street.

MR. JONES. *Q.* Did you see on other people's stalls articles similar to those you saw on the tall thin man's stall? *A.* Yes—any stranger, by paying 3*d.*, can have a stall in the market for the day—the stalls belong to the persons who occupy the houses, and they let them—Myers has always borne a very honest character—in my judgment, this silk is worth 3*s.* 3*d.* a yard—I know it by being in two remnants—I have not seen it since the 30th of December till this moment.

CHARLES COSSUM *re-examined.* Four shillings a yard is the price we sell this at—I do not believe it is faded—it has been in our shop about nine months—it has never been exposed in the window, and was not likely to become faded, unless it came to us so—I never noticed that it was faded.

MR. PHILLIPS. *Q.* Do not you know that, in London, silks are over and over again sold much under their value, even in regular shops? *A.* At times they are, according to the article—I have not known silk sold under prime cost in respectable shops—I do not think fair tradespeople would do it—I have not noticed them ticketed at an underprice in Oxford-street or Regent-street—they are sold at a very low price—silk is frequently sold under its value—this is worth 4*s.* a yard—it is a very saleable article—the silk trade is not particularly depressed now—it is depressed—small tradespeople are often obliged to sell their goods at an underprice in order to meet their bills.

(Several witnesses gave Myers an excellent character.)

NOT GUILTY.

615. JOSEPH LINAN was *again* indicted for stealing, on the 26th of December, 33 handkerchiefs, value 13*s.*, the goods of Frederick Thompson Hildreth.

MR. RYLAND *conducted the Prosecution.*

FREDERICK THOMPSON MEREDITH. I am fifteen years old, and am shop-boy to Mr. Frederick Thompson Hildreth, a hosier and glover, in Oxford-street. On an evening in December, (I cannot say the day of the month,) I was in the shop, between nine and ten o'clock; the prisoner came in and asked for a penny skein of black silk—I told him we did not sell it—in passing out at the door he caught up a bundle of handkerchiefs, and ran off—I immediately pursued him—he ran down Chapel-street, and when he saw me he threw them into a greengrocer's shop—I secured them, and took them to my employer—I did not follow him further.

FREDERICK THOMPSON HILDRETH. I keep this shop. Meredith gave me the bundle of handkerchiefs—they are my property—I gave them to the officer before the Magistrate—I do not recollect the day of the robbery—it was after Christmas-day—Pocock afterwards brought me a quantity of things, but none of them belonged to me—my boy identified the prisoner at the office—I saw nothing of the transaction—these are the handkerchiefs—(*looking at them.*)

CHARLES HENRY BAGNEL (*police-constable F* 31.) I received the handkerchiefs from the prosecutor, and have had them ever since.

FREDERICK THOMPSON MEREDITH *re-examined.* That is the bundle of handkerchiefs I saw him run away with.

Prisoner's Defence. The handkerchiefs were not delivered to the officer till after I was committed here—I dare say there have been handkerchiefs sold out of the bundle since.

Mr. HILDRETH *re-examined.* It is very probable some may have been sold out of the bundle since—I know these to be the same, as I have no other bundle like them—I know the handkerchiefs the boy brought back are mine—they are cotton ones.

GUILTY.* Aged 12.—Transported for Seven Years.

NEW COURT.—*Thursday, February 6th,* 1840.

Fifth Jury, before Mr. Common Sergeant.

616. JOHN GIBBS was indicted for stealing, on the 28th of January, 2 printed books, value 5*s.*, the goods of William Withers, his master; to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

617. CHARLES TAYLOR was indicted for stealing, on the 1st of July, 1 clock, value 2*l.*, the goods of John Bent King; to which he pleaded

GUILTY. Aged 50.—Confined Six Months.

618. FREDERICK HORNE was indicted for stealing, on the 14th of January, 60 pence and 120 halfpence, the monies of William Horne; to which he pleaded

GUILTY.* Aged 12.—Transported for Seven Years.—Convict Ship.

619. JOHN READ was indicted for stealing, on the 19th of Ja ary,

5lbs. weight of beef, value 2*s.* 9*d.*, the goods of Benjamin Bragg; to which he pleaded

GUILTY. Aged 17.—Confined Six Months.

620. HENRY CHURCHLEY and JAMES WHITE were indicted for stealing, on the 16th of January, 8lbs. weight of wool, value 12*s.*, the goods of William Hall and another, the masters of Henry Churchley; to which Churchley pleaded

GUILTY. Aged 19.—Confined Six Months.

MR. CLARKSON *conducted the Prosecution.*

SAMUEL HUNT. I am errand-boy to Messrs. Lord and Hall, wool-brokers, in the Old Jewry—they occupy the back of Mr. Woolley's house—Churchley was in their service, and was in the habit of locking up. On the 16th of January I went on the premises after business hours with Churchley—we came out, and went to the corner of Old Jewry, he said, "Good night," and went up towards the Poultry, and I supposed he was *going* about his business—the next time I saw him he was in custody.

THOMAS HAMMOND. I am assistant to Woolley, Son, and Co., tailors, in the Old Jewry. The counting-house of Lord and Hall is at the back of my employers' house—at the close of the day the key is brought, and hung up in our counting-house—on the 16th of January, some time after five o'clock, I heard Churchley and Hunt go away—he had not brought the key—I heard Churchley come back, and go into Lord and Hall's counting-house again—he went in two or three times—he went to the door, then came back, wished us good night, and hung up the key in our counting-house—about five minutes after, a police-inspector knocked at our door—Mr. Plimley went to it—the policeman had White in custody, and a bag with him—he asked if we knew that man White—we said, "No"—when I opened the bag I saw the wool in it—White was detained.

Cross-examined by MR. PAYNE. *Q.* Where were you when you heard Churchley going backwards and forwards? *A.* At work—there was a partition between the passage and me—I heard him hum, and knew his voice very well—I did not see him go to the door, but I heard him—he went to the front door, which comes out into the Old Jewry—I could tell that he went from the counting-house to the front door, because nobody is allowed to go in but him and Hunt after the others leave—I heard him go along the passage very plainly.

WALDRON KELLY. I am a police-inspector. On the 16th of January I was *going* on duty, and had to pass through the Old Jewry, accompanied by Barnes—I passed White standing opposite Lord and Hall's, in the Old Jewry—he attracted my notice from his appearance, seemingly watching some place opposite—Barnes, who was with me, said something—I halted, and we watched him—in about three minutes he passed over to Lord and Hall's, and received a bag from the hands of a person—I cannot swear, from the distance, that it was Churchley, as I could not see his features, but it was at the door—I kept my eyes on White—he came down towards me on the opposite side—he increased his pace, and at last ran—I pursued, and stopped him in Cateaton-street—I asked what he had got in the bag—he said it was his own property—I asked what it was—he refused to say—I asked if he knew any person at No. 9, the door he had just left—he said, "No"—I took him back to the door—the witness came to the door—I asked if he knew him, and to look at him well with the candle in his hand—he said, "No," he never saw him before—I asked him if he

knew what was in the bag—that he opened it, saw it was wool, and suspected it was Lord and Hall's—I then went to Basinghall-street, and found Churchley in custody there.

Cross-examined. Q. Where did you take White? A. About a hundred and ten yards from the prosecutors'—Barnes stood nearly opposite Lord and Halls—I stood about five yards from him—White was opposite Lord and Hall's.

ROBERT BARNES (*City police-constable, No.* 301.) I was with Mr. Kelly in the Old Jewry—I have heard what he has said—it is true—after he had separated from me, and taken White, I went after Churchley—I took him in Moorgate-street—I had to run after him—I found some papers on him—I saw the person who delivered the bag to White—it was Churchley.

GEORGE ELLIOTT BROWN. I am a warehouse-keeper in Upper Thames-street. I have bonding warehouses there for wool—I have inspected these sample papers found on Churchley—two of them I can positively swear were issued from our warehouse—one of them has our stamp on it in particular—we had furnished to Lord and Hall a sample of this particular sort of wool—this is called an average sample, but one average sample was drawn of this mark, and that sample was sent to Lord and Hall—this other paper is marked with our mark—some of that was supplied to Lord and Hall, and others have had the same, but the average sample was sent to them, and no one else—there is in this bag, wool which answers to the class of wool that was in one of these papers.

Cross-examined. Q. Can you tell how long ago any of these went to Lord and Hall? A. This average sample was delivered on the 9th or 10th of January, and this other sample-paper went about the same date—I gave orders for the average sample to be drawn, but I was not present when it was delivered—this part of the wool, to the best of my knowledge, is what was in the average sample.

WILLIAM HALL. I am in partnership with William Hind Lord—our counting-house is in the Old Jewry. Churchley has been in our service three or four years—I have looked at these papers found on him—two of them have been in our possession—I looked at the bag after it was found, and found a small remnant of paper in it, and the figures of 4 5 on it, in the writing of our own clerk, Mr. Groves.

Cross-examined. Q. When was this piece of paper found in the bag? A. A day or two after, when we went to examine the wool at the station-house—I had not examined it before.

(Isaac Potter, a coffee-house keeper, Long-acre; James Chamberlain, agent and wool-factor, Ball's-pond; Thomas Green Phillips, Hackney-road; Thomas White; and Thomas Brassey, Margaret-street, Golden-square; gave the prisoner White a good character.)

WHITE—GUILTY. Aged 19.—*Recommended to mercy by the Jury.*—Transported for Seven Years.

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621. JAMES BROWN was indicted for stealing, on the 11th of January, 2 loaves of bread, value 10*d.*, and 7lbs. weight of flour, value 1*s.*; the goods of John Cook.

GEORGE BOWIE. I am servant to John Cook, a baker, in Edgeware-road. About five o'clock, on the 11th of January, I left my basket at the corner of North-bank, while I went to No. 32, leaving two bags of flour and two half-quartern loaves in my basket—I returned in about ten minutes, and missed the loaves and the two bags—each contained 3½lbs weight of

flour—I traced it from North-bank to South-bank, and found the prisoner and two loaves of bread, but no flour—I knew the loaves to be my master's.

Cross-examined by MR. PRENDERGAST. *Q.* You asked what he had got? *A.* Yes—he said, "Two loaves," and that he received them from two persons who were almost in sight at the time—they ran away—I did not go after them.

JOHN DRISCOLL (*police-constable S* 206.) I was called and took the prisoner. NOT GUILTY.

622. ROBERT BRANCH was indicted for stealing, on the 9th of January, 1 work-box, value 11*s.* 6*d.*, the goods of Benjamin Smith.

BENJAMIN SMITH. I keep a fancy toy-warehouse in Bishopsgate Without. On the 9th of January, about half-past four, or a quarter to five o'clock, I missed this work-box, which was standing on some others in my shop—it was brought to me by a policeman—it is the only one of this sort I had left—here is the ticket of it—(*looking at the box.*)

JOHN ROADKNIGHT (*police-constable G* 167.) On the 9th of January, about five o'clock, I saw the prisoner come out of an unfinished house, at the back of the City of London Theatre—I asked what he had been doing there—he said, to do his occasions—I asked what he had got under his arm—he said, a box he was going to deliver for his master—I then took this box from him—he had a ticket in his mouth, trying to bite it—I snatched it from him, and found it to be the ticket of the box, in going along I had great difficulty to take him, and he said, "You b—— I found it, you can't hang me."

GUILTY. Aged 18.—Confined Six Months.

623. MARY D'ARCEY was indicted for stealing, on the 11th of January, 1 looking-glass and stand, value 9*s.*; and 1 bag, value 6*d.*; the goods of John Barrett: two gowns, value 15*s.*; and 1 handkerchief, value 1*s.*; the goods of Eliza Cowdery.

JOHN BARRETT. I keep the Duchess of Oldenburgh public-house in Goswell-road. On Saturday night, the 11th of January, at half-past nine o'clock, there was an alarm—I went into the passage, and saw the prisoner in the act of going to the door, with a bundle under her cloak—I caught her by the arm, and immediately she dropped some of these articles—I sent for an officer, and gave her in charge—the looking-glass and bag belong to me, and the other things were my servant's—they were in my servant's bed-room.

Cross-examined by MR. PAYNE. *Q.* Did she appear to be sober? *A.* Yes—she sat some time there before she went up stairs—she said nothing—there was nothing strange in her appearance.

ELIZA COWDERY. I am the bar-maid—these two gowns and one handkerchief are mine—I was running up stairs, met the prisoner coming down—I said, "You have been up stairs," she said, "I have not"—I made an alarm, and my master came and took her—I had seen these things safe about three o'clock, one behind the door and the other in the cupboard.

Cross-examined. *Q.* Do you know these by any marks? *A.* No, there is none of my work on them, but I know them from wearing them—the prisoner was sober—these other things were in my room too.

GUILTY. Aged 49.—Confined One Year.

(There was another indictment against the prisoner.)

624. DANIEL ASHMORE was indicted for stealing, on the 19th of January, 1 jacket, value 8*s.*; 1 shirt, value 3*s.*; and 1 flannel shirt, value 3*s.*; the goods of James Hasell.

JAMES HASELL. I am a sailor, and live at the Sailor's Home—the prisoner was living there—his cabin was nearly opposite mine. I went out about five o'clock on the 19th of January, leaving a jacket and two shirts at home—I came home about ten o'clock, and these things were gone—I went to Mr. Barnett's in Cable-street on Monday morning, and found them.

DAVID BARNETT. I am a clothier, living in Cable-street. The prisoner brought these things to me, to let him have 5*s.* 6*d.* on them, on Sunday evening, the 19th, between five and six o'clock—I bought them for 5*s.* 6*d.*—he was sober.

JOSIAH CHAPLIN (*police-constable H* 124.) I took the prisoner—he denied the charge—in going to the station-house he said, if he had done such a thing he could not be in his sober senses.

Prisoner. I never took a single thing to Barnett—I never robbed a man in my life, and would not do it for such a paltry thing as this.

GUILTY. Aged 38.—Confined Six Months.

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625. ALICE ATHERTON was indicted for stealing, on the 19th of November, 5 blankets, value 1*l.*; 7 sheets, value 18*s.*; 3 pillow-cases, value 1*s.* 6*d.*; 2 pillows, value 5*s.*; and 1 carpet, value 5*s.*, and other articles, the goods of Catherine Phipps.

CATHERINE PHIPPS. I am single, and live in Windsor-terrace, City-road. On the 18th of November the prisoner came and took my furnished lodging, at 15*s.* a week—it contained the articles named—she staid about nine weeks—the family remained after the mother was committed to prison—on the 7th of January I went with a broker to distrain—there was violent resistance by two of the children against the broker's getting in—I found the rooms were stripped, and these things taken—they are here—I can identify them all.

Cross-examined by MR. PHILLIPS. *Q.* How long had she been lodging with you when you distrained? *A.* About seven weeks—she had four children—she said she had two guineas a week coming in, and some money from a medical student lodging with her—I distrained for 2*l.* 13*s.*—this is the inventory—my broker took away her property by my direction—it was nothing but a pack of boxes and rubbish—I believe there were some books—I did not take the little girl's bird—that remained in the apartment—it was taken out of the cage, and the cage was taken away—I do not know that there was a portmanteau taken—I saw a carpet-bag in the doctor's bed-room—I believe there were two pairs of trowsers, and four pairs of stockings—I believe the prisoner is the widow of an officer in the army—her conduct has not corresponded with her character—the officer found these duplicates—I saw the name and address on them—it was on my distraining that I missed this property.

THEOPHILUS LIEBRICHT. I am in the service of Mr. Smith, a pawnbroker. I produce these articles—some of them were pledged by the prisoner, but I cannot say who pledged any particular one—she was in the habit of pawning and redeeming things.

WILLAM HUMPHREYS. I am foreman to Mr. Simms, a pawnbroker in Bath-street. I produce three blankets and a table-cover, pawned, I believe, by the prisoner.

Cross-examined. *Q.* You only believe you received them from the

prisoner? *A.* Yes, they were in the name of Atherton, 42, Baldwin-street.

ROBERT QUINLAND (*police-constable N* 240.) I went to the prosecutor's house, and found these duplicates in the prisoner's apartment—they correspond with these things. NOT GUILTY.

626. THOMAS SMITH was indicted for stealing, on the 31st of January, 2½ yards of linen cloth, value 11*s.*, the goods of Samuel Hall and another; and that he had been before convicted of felony.

JOHN HALL. My partner's name is Samuel Hall—we live at No. 3, Leadenhall-street. We had a piece of kerseymere, which was safe on the evening of the 31st of January—I saw it lying exposed on the side counter, within two yards of the door—I and my brother went to tea, leaving the shop with the porter or errand-boy—I can identify the cloth, which was found on the prisoner's person.

THOMAS PEARSON. I am errand-boy to the prosecutors. I saw the prisoner come into the shop on Friday evening, the 31st of January—he took the cloth off the side counter, and ran off with it—I ran after him, caught him, and brought him and the cloth, which was on him, back to the shop—a policeman was sent for.

Prisoner. I was compelled by necessity to do it.

JAMES TRIMMER (*City police-constable, No.* 458.) I produce a certificate of the prisoner's former conviction—(*read*)—the prisoner is the person.

GUILTY. Aged 24.—Transported for Seven Years.

627. WILLIAM WILLIAMS was indicted for stealing, on the 20th of January, 1 metal cock, value 2*s.*; and 2 feet of lead pipe, value 3*s.*; the goods of James Pearce, being fixed to a certain dwelling:—2nd COUNT, stating them to be the goods of John Sare; and that the prisoner had been previously convicted of felony.

JOHN SARE. I am a shoemaker, living in Essex-street, Hoxton Old Town. On the 21st of January, at eleven o'clock in the morning, the girl next door came and told me to come and stop the water—I observed the cock and about two feet of pipe had been cut at the back of the house from the pipe that projected out of the wall—this is it—(*examining it*)—I know it by a mark on the side of the pipe—it belongs to Mr. James Pearce, my landlord.

MARTHA CHEEK. I am the wife of William Cheek, a bricklayer of Hoxton. About half-past eight o'clock on the evening of the 20th of January I heard a noise in the passage—I called and no one answered—I ran up and caught the prisoner going out—I pushed him into the parlour, took hold of his jacket, and saw the piece of pipe in his jacket—I got a policeman and gave him into custody—this is the pipe.

Prisoner's Defence. I was going across the wall, and I got into the yard of a boy who told me to take it up-stairs for him.

JAMES BRANNAN (*police-sergeant G* 20.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 19.—Transported for Seven Years.

(There was another indictment against the prisoner.)

628. MARY CONNER was indicted for stealing, on the 21st of January, 1 counterpane, value 3*s.*, the goods of John Phillips.

GEORGE MORTON. I live at No. 74, York-street, Westminster. Be-

tween five and six o'clock in the evening of the 21st of January I observed the prisoner take a counterpane off Mr. Phillips's bed, she dropped it, took it up again, and took it away—she came towards me, and said Mr. Phillips had offered her 1*s.* 6*d.* for it.

JOHN PHILLIPS. I am a broker, and live in Great Chapel-street, Westminster. A little boy came and told me something—I ran out and could not see this woman—I ran to the corner of a back entrance, which goes to another street, and saw the prisoner with a large bundle—I asked what she had got—she said, "Two loaves and some bacon, and this counterpane"—I asked where she had got it—she said a little girl gave it her—it is mine.

ROBERT SUTTLE (*police-constable B* 97.) I was sent for, and took the prisoner, and I have the counterpane.

Prisoner's Defence. I met a woman who asked me to hold the bundle, and I lost sight of her—I have four children.

GUILTY. Aged 35.—Confined Three Months.

Fifth Jury, before Mr. Sergeant Arabin.

629. CHARLES WORKMAN was indicted for stealing, on the 20th of January, 2 chandeliers, value 2*l.*, the goods of Joseph Seager.

GEORGE HERBERT (*police-constable N* 111.) On the 20th of January, about two o'clock in the morning, I found the prisoner in an open shed belonging to Mr. Seager, in the Seven Sisters-road—he was between the shafts of a cart—I asked him where he lived—he said he lived at Tottenham, and that he was there out of the rain—I heard something rattle about his person, and asked him what it was—he replied, "Only a few coppers"—I desired him to show them to me—he did not do so—I removed the skirt of his coat on one side, and discovered this brass chandelier in his right hand breeches pocket—I asked what it was—he said, "A piece of brass"—I took it from him—he said he picked it up in the road—on the way to the station-house he attempted to throw this other chandelier into the field, but it lodged in the hedge, and I took it—I told him if he had any more to deliver it to me—he said he had not, neither had he thrown that one away—I took him to the station-house, and took one of the chandeliers to Mr. Seager, who identified it.

JOSEPH SEAGER. I live at the Seven Sisters public-house, in the Seven Sisters-road, Holloway. These chandeliers are mine—I had left them in a box in a cart, which was in a shed adjoining my premises—they had been to town to be re-lacquered.

Prisoner's Defence. I picked up one of them—the other I had not in my possession—the officer rubbed against the one in the hedge, and said I threw it there.

GUILTY. Aged 30.—Confined Six Months.

630. JOHN LEADLEY was indicted for stealing, on the 18th of January, 7lbs. weight of bacon, value 3*s.*, the goods of Joshua Thomas Pealing.

JANE ORGAN. I was in my brother-in-law's shop, Joshua Thomas Pealing, on the 18th of January, about eleven o'clock in the morning—I left the shop, to go into the parlour—I returned, and saw a boy named Fox run out of the shop in a very desperate manner—I looked, and missed a large piece of bacon from the shop—I do not know who took it.

SARAH ORGAN. I live at Mr. Pealing's, at Stepney—he keeps a

chandler's shop. On the morning of the 18th of January my sister called me—I came down and missed a piece of bacon—in the evening my sister asked me to go out with her—we brought the boy Fox to our shop, but a person came in, and Fox ran out—I and my sister went and gave him in charge.

CHARLES PATTEN (*police-constable K* 206.) On Saturday evening, the 18th of January, a person named Doughty was given to me on suspicion of stealing bacon—he said it was not him, it was Fox—I went after Fox, and took him—he said, "It was not me, it was Doughty"—I took him to the station-house, and then he said to Doughty, "It was not you stole it; you know who it was;" and when they were before the Magistrate they said it was Leadley—I went and took the prisoner, and they both said it was him that took it.

JOSEPH GILBERT. I am going on for twelve years old. The prisoner crawled into Mr. Pealing's shop, and took the bacon off a lid in the window—another boy stood at the door, and covered it over with an apron—I knew the prisoner before—I am sure he is the person who took the bacon under his arm and went away.

BENJAMIN HARRIS (*police-sergeant H* 19.) I took the prisoner—he said he knew nothing about it—he afterwards said Doughty told him there was a good opportunity to go and get some bacon.

NOT GUILTY.

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631. WILLIAM JOHNSON and JAMES GOULD were indicted for stealing, on the 10th of January, 3 guards, value 30*s*., the goods of Jane Law.

JANE LAW. I am a widow, and live at the Queen's Head public-house, Charlotte-street, Whitechapel. On the 10th of January I had these brass guards—they had been taken from the windows when the shutters were put up, and put on the counter—the prisoners came in together—they had two pints of beer, and, I think, a pennyworth of gin—I went into the parlour, heard the brass-work sound, and the prisoners were gone—I found three guards gone out of the four which had been on the counter—I told the policeman, and the prisoners were taken about half-past one o'clock—I have seen two of the guards since broken in pieces—the third has not been found—the prisoners left my house about a quarter-past twelve, and there was no one else in the house.

EDWARD BLAYNEY (*police-constable H* 91.) On the night of the 10th of January, about twenty minutes before one o'clock, I heard a cry of "Stop thief"—I turned back, and saw Mrs. Law—she said two men had stolen some guards—I went on my beat, and, about half-past one o'clock, my brother officer called me—I went up, and saw him by the side of the prisoners—he said, "Here they are, take hold of them"—Johnson ran away—I took Gould, and found this brass on him.

MICHAEL TOONEY (*police-constable H* 72.) I was on duty, and saw the two prisoners—they said they could not get in—I walked by their side, and called Blayney—he took Gould—Johnson ran off, and I pursued him till he was taken.

GEORGE CLAPP (*police-constable H* 107.) I saw Johnson running as fast as he could—I stopped him and took him to the station-house—Gould was there—they shook hands, and Gould said to him, "If you had not called me out of bed, I should not have been here."

Johnson's Defence. I was walking down Grove-street—I was not running.

Gould's Defence. We went into the public-house, and had something to drink—when we came out, we parted—I saw this property on the step of a door—I took it up and put it into my pocket—I went home—Johnson came to me and said he could not get in, he must walk the street—I went with him, and was taken.

JOHNSON—GUILTY. Aged 21. } Confined Four Months.
GOULD—GUILTY. Aged 21. }

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632. JOHN TAYLOR was indicted for stealing, on the 24th of January, 1 tongue, value 4*s.*, the goods of Thomas James Balch.

JOHN HARTLEY. On the 24th of January, about ten minutes past eleven o'clock, I was in Lamb's Conduit-street, and saw the prisoner take a tongue from Mr. Balch's board, and pass it to a much younger lad who was with him, who had a bag—in putting it in it slipped out, and fell on the ground—I was in my master's cart—I stopped the horse, and called to Mr. Balch—his young man came out, we ran up the court, and when we got near them the prisoner turned, and said, "What have I done?"—the other boy got away—the tongue was picked up, and the prisoner taken.

JOHN HAYNES BATTER. I am in the service of Thomas James Balch, a butcher, in Lamb's Conduit-street. My attention was called to this—I went out, saw the prisoner in the court—I ran—when he saw me he turned round, and said, "What have I done?"—I told him he had taken a tongue—there was a lad with him, who ran away—I took the prisoner, and the tongue, which was on the ground.

Prisoner's Defence. I could not see this man behind me, and he says I saw him—I never touched the tongue.

GUILTY. Aged 19.—Confined Three Months.

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633. ELIZA SHEFFIELD was indicted for stealing, on the 16th of January, 3 gowns, value 6*s.*; 1 cloak, value 3*s.*; 1 apron, value 4*d.*; 1 petticoat, value 1*s.*; the goods of Sarah Sheffield.

SARAH SHEFFIELD. I am a widow, and live in Devonshire-street, Lisson-grove. The prisoner is my daughter—I get my living by needlework. The property is mine—I have four children, one older than the prisoner—the prisoner took some things from my house, and some from where my other daughter Elizabeth was in service—she was leaving her place, and she gave her things to the prisoner to bring to my house, but she never brought them home—she has been in different little places—these three gowns, and a cloak, and apron, and petticoat, were taken from my room—I made inquiries, and found them at the pawnbroker's—the prisoner produced these duplicates at the office—I went to Mr. Edwards's, in Crawford-street, where she had been three days, while the servant was out—I asked her for my things—she said she never had them—I sent for an officer, and took her—this is one of my gowns—(*examining the articles*)—this cloak is her sister's.

ELIZABETH SHEFFIELD. I am the prisoner's sister. This cloak is mine.

SAMUEL PENN. I am assistant to a pawnbroker. This property was pawned by the prisoner—I asked her some questions respecting her age, but I forget her answer—I never receive property without a satisfactory answer—she must have told me she was sixteen years old, or I should not have taken them.

Prisoner. You never asked me the question. *Witness*. It is a precaution I invariably use.

GUILTY. Aged 14.—Transported for Seven Years.—
To be sent to the Penitentiary.

(There was another indictment against the prisoner.)

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634. MARGARET SWANICK was indicted for stealing, on the 25th of January, 1 handkerchief, value 3*s*.; 1 shawl, value 15*s*.; 1 bag, value 2*s*.; 1 sovereign, 1 half-sovereign, 3 half-crowns, 2 shillings, and 1 sixpence; the property of Sarah Mannsell.

SARAH MANNSELL. I am a servant, and lodged at Mrs. Fuller's, in Great Barlow-street, as I was out of place—I had been there a fortnight. The prisoner, who was a stranger, came there about five o'clock in the evening, on the 24th of January—Mrs. Fuller did not know her before—she came with the pretence of taking a lodging—I was out at the time—when I came home she was there—I had a bag there, containing a sovereign and one half-sovereign, three half-crowns, two shillings, and one sixpence in a purse, also a handkerchief, and shawl—we drank tea together, and talked a great deal about her mistress, and so on—we were in a room on the second floor—she said, would I like to take something to drink—I said, no, I did not want any thing—I was at needlework—at last I consented, and she took a small bottle from the cheffioneer, and went out—I lighted her down, and she said, would I lend her my shawl, to go next door—I lent it her—she went out, and did not return—I looked, and missed my things—she was taken in three days—I found this purse, which is mine, and 6*s*. 6*d*. in it—that is all I have got back.

MARY ECKETT. I live at the Marylebone station-house. On Saturday morning, the 25th of January, the prisoner was brought there—I searched her, and found this purse, with 6*s*. 6*d*. in it, and 1*s*. 2½*d*. in copper in her pocket—she said nothing to me.

Prisoner. You asked me where I came from—I said I was a servant, and took my wages on the Tuesday night, and you said, "Poor girl, I am very sorry." *Witness*. I did not.

JAMES PORTER (*police-constable D* 55.) I took her on the 25th of January to the station-house on another case—when I got there, the inspector had a description of her in the book—she was searched, and the purse found.

Prisoner's Defence. I left my place, and took a lodging in Homer-street—I was there four nights—as I was coming out on Saturday morning, my lodger asked me if I knew any body who would buy some gowns—she asked me to take the gowns—I went to a person I knew to see if she would buy them, and she followed me and gave me in charge—this purse my sister gave me when she was dying—there is a tassel off it—I know nothing of the prosecutrix.

SARAH MANNSELL. I never saw the prisoner till that night—I am sure this is my purse.

GUILTY. Aged 20.—Transported for Seven Years.

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635. HENRY HOBBS was indicted for stealing, on the 24th of December, 1 truss of hay, value 2*s*. 3*d*., the goods of George Wood, his master.

JAMES WILLIS. I am bailiff to Mr. George Wood, who lives at Hanger-hill, Ealing. The prisoner was one of his carters—I sent him to town on the 24th of December with a regular load of thirty-six trusses of hay, and a bottle-truss for the horses—he returned about seven o'clock in the

evening very tipsy, and the cart was quite empty—there was no return truss in it—he said nothing about one.

Prisoner. You never saw me till eight o'clock the next morning. *Witness.* Yes, I met you coming home between seven and eight o'clock that evening as I was going to Acton—I saw you the next morning, and asked if you had got any dung.

JOSHUA BAKER. I am a hay salesman in Cumberland-market. On the 24th of December the prisoner came to that market with a load of hay (I sell for Mr. Wood) I sold half that load in the market, and sent the rest, which ought to have been eighteen trusses, to Bolton and Miller—the prisoner went there with it—I saw him come out of their yard, and he had then two trusses of hay in his cart—Mr. Bolton paid me only for seventeen trusses—the prisoner returned one—there ought to have been but one truss in the cart, and I saw two.

JAMES MARTIN. I am a hay-binder—I work for Mr. Baker, in Cumberland-market. I saw the prisoner that day with a load of hay—I and the prisoner unloaded half of it—I know we only unloaded eighteen trusses—they were put into my cart—I left the other half-load in the prosecutor's cart.

CHARLES WARD. I am warehouseman to Bolton and Miller, in Cumberland-market. On the 24th of December the prisoner came into the yard, and said he had got half a load of hay for me—he threw off two trusses, and I only received seventeen—he said I had got my complement—I said I had not—I counted them three times over—I counted them a fourth time, and while I was doing so the prisoner left the yard—I only received seventeen trusses—when he came into the yard he threw off one truss, and said that was the bottle—he then threw off another—I asked if that was another bottle—he said, "No," that was a return truss of the other half-load—I am sure he said that, and he told me I had got my complement, by which I understood he meant eighteen trusses.

Prisoner. My bottle was only a small bit tied up with one band, and that my cloth was all I put down. *Witness.* No, you put down another truss beside your bottle-truss.

JOHN PASCOE (*police-sergeant T* 18.) I took the prisoner on the 21st of January—I told him it was for stealing a truss of hay on the 24th of December—he said he went to Bolton and Miller's with half a load, and their man threw him down one truss, and said there was one too many, that he brought it to the public-house at Shepherd's Bush, and sold it to the ostler for 1*s.* 6*d.*, and that there were several others as deep in the mud as he was in the mire.

Prisoner. The bailiff asked me if I had a truss of hay back—I said I had one on the Tuesday—I sold it for 1*s.* 6*d.*, and gave the money to the other carter, and he gave it to Mr. Baker.

GUILTY. Aged 22.—Confined Six Months.

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636. THOMAS ISAACS was indicted for stealing, on the 14th of January, 5 hurdles, value 1*l.*, the goods of George James Nicholson.

CHRISTOPHER NORTH (*police-sergeant N* 17.) At half-past twelve o'clock in the day, on the 14th of January, I was in Hornsey-road—I saw the prisoner alone, drawing a truck—he saw me, left the truck, and went to a brewhouse—he remained there about two minutes, then came out, and went to a beer-shop about forty yards off—he remained there three or four

minutes—he then came out, went to the truck, and took possession of it—I asked him what he had got—he said, old iron, which he had bought at Finchley, two doors from the Red Lion public-house—I took him, and found the owner—this is it.

JOHN DUCK. I am in the service of George James Nicholson, of Crouch-end, Hornsey. I am positive these hurdles are his—they were taken from the hedge-side, and from the gate—I have seen the prisoner before in the slip, and said, "What business have you here?" and he ran and got over the gate at the bottom.

Prisoner's Defence. He never saw me there.

GUILTY.* Aged 21.—Transported for Seven Years.

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637. MARY ANN CONNOR was indicted for stealing, on the 18th of January, 5lbs. weight of ham, value 5*s.*, the goods of James Santimore Hall.

JAMES SANTIMORE HALL. I keep a cheesemonger's shop in White *Conduit*-street, Pentonville. On Saturday night, the 18th of January, the prisoner came into the shop, and took this ham from a dish on the counter—I went out, and took her—she dropped it just as I caught her—I am sure she took it, and she had the fat of the ham on her apron.

GUILTY. Aged 14.—Confined Eight Days.

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638. WILLIAM THOMAS was indicted for stealing, on the 10th of January, 1 coat, value 1*l.* 5*s.*, the goods of Thomas Wentworth.

THOMAS WENTWORTH. I am carman to Messrs. Copeland and Garratt. On the 10th of January, about four o'clock, I was in Fleet-street with their cart—my coat was in the cart, which had been stopped several times, as the street was very crowded—I was walking by the side of the horses' heads, and saw my coat safe in front of the cart—I did not see who took it, but just as I got below the Bolt-in-Tun public-house I looked round, and it was gone—I do not think it could have dropped off, as it was over a little basket of glass—the prisoner was brought back with it—this is it—(*looking at it*)—it is mine.

THOMAS EAVES (*City police-constable, No.* 100.) About four o'clock that day I was going down Fleet-street—I cast my eye on the opposite side, and noticed the prisoner run from behind the cart in a confused state, with the coat half wrapped up—he ran almost into my arms—he turned down Water-lane—I ran after him—he made a stop at the end of Water-lane, and looked to see what way he should turn—he then turned to the Temple, and held the coat up at the gate, then he went into the Temple, and appeared to hesitate what way to turn—I ran up to him, and said, "Is this yours?"—he said, "Yes"—I said, "I think not, give it to me"—he said, "I will not," and resisted very much—I was taking him to the station-house, and met the prosecutor, who owned the coat.

GUILTY. Aged 30.—Confined Six Months.

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639. EDWIN HUBBARD was indicted for stealing, on the 12th of January, 1 handkerchief, value 4*s.*, the goods of Alfred James Redfern, from his person.

ALFRED JAMES REDFERN. I am a chronometer-maker. On the 12th of January, about half-past eight o'clock in the evening, I was on the Southwark side of London-bridge—I felt a tug at my pocket, where I knew my handkerchief had been safe three minutes before—I turned round, and saw the prisoner, and another boy with him—the prisoner had my

handkerchief in his hand—he gave it to the other boy, who ran away—I took the prisoner—the other made his escape.

Prisoner. Why did not he catch hold of me when he saw me with it in my hand?—I was not near him—I was walking along, when he came and took me by the collar. *Witness.* I overtook him in Tooley-street—I asked him where he lived—he pointed down Tooley-street, and said he lived down there—I said I would go with him—he then said he lived in Bacon-street, Commercial-road; that he had come there for a walk, and to see the railroad.

GUILTY.* Aged 12.—Transported for Ten Years.—Convict Ship.

640. JAMES SIMMONDS was indicted for stealing, on the 15th of January, 2¼lbs. weight of pork, value 1*s.* 4*d.*, the goods of Thomas Jackson; to which he pleaded

GUILTY. Aged 38.—Confined Eight Days.

641. JOHN MAHONEY was indicted for stealing, on the 18th of January, 4½lbs. weight of cheese, value 2*s.* 6*d.*, the goods of Edwin Llewellin.

EDWIN LLEWELLIN. I keep a cheesemonger's shop in Liquorpond-street. On the 18th of January the prisoner and a woman came in, and as they looked very suspicious, I watched them—they then went out, and the prisoner passed by several times again—at last he got on a flat outside, took a Dutch cheese, and ran off—I followed and took him—he rolled the cheese away, but I got it—this is it—(*looking at it*)—I tried to find the woman, but could not.

GUILTY.* Aged 12.—Transported for Seven Years.—Convict Ship.

642. MARK MANNING and HORATIO JONES were indicted for stealing, on the 3rd of February, 6¾lbs. weight of bacon, value 3*s.* 9*d.*, the goods of James Horwill.

JAMES HORWILL. I keep a cheesemonger's shop in Moor-street, Soho. On the 3rd of February I was sitting in the parlour, and heard the window fall—I looked, and saw Manning holding the window up with his right hand, and there were five or six boys round—I went out, and Manning dropped a piece of bacon while I was pursuing him—there was 6lbs. 14oz. weight of bacon found in all.

SAMUEL WOOD. I was coming down the street—I heard a cry of "Stop thief!" Jones ran into my arms, and dropped three pieces of bacon at my feet—I took him.

Jones's Defence. I saw a lot of people, and the man laid hold of me.

MANNING*—GUILTY. Aged 15.—Confined Three Months, and Whipped.

JONES—GUILTY. Aged 15.—Whipped and Discharged.

643. GEORGE WHITE was indicted for stealing, on the 30th of January, 9lbs. weight of pork, value 5*s.* 3*d.*, the goods of William Hambridge.

WILLIAM HAMBRIDGE. I am a pork-butcher, and live in Liquorpond-street. On the 30th of January, about ten minutes past six o'clock, I missed this pork—I made inquiries, and looked about as well as I could, but could not see it—the next morning the officer brought it, and I knew it was mine—I do not know the prisoner.

HENRY LING (*police-constable E* 83.) On the evening of the 30th of

January I saw the prisoner with something under his arm—I asked what he had got—he said a leg of pork, which he got from his master's at Ludgate-hill, and was going to Mrs. Downes in the Rookery—I took him, and the next morning found the prosecutor.

GUILTY.* Aged 17.—Transported for Seven Years.

OLD COURT.—*Friday, February 7th*, 1840.

Third Jury, before Mr. Sergeant Arabin.

644. FRANCIS LYE was indicted for stealing, on the 23rd of January, 117lbs. weight of lead, value 17*s.*, the goods of John Thomas Deacon and others, and fixed to a building.

WILLIAM BUTLER. I am a policeman. On Friday, the 23rd of January, I saw the prisoner in Vauxhall-bridge-road wheeling a barrow, about three quarters of a mile from the prosecutor's house—I stopped him, and asked what he had got—he said some old iron, which he had brought from Pimlico—I let him pass on, and followed him to Rochester-row—I stopped him again, and at the bottom of the barrow I found four pieces of lead concealed under a piece of iron—he said he had been repairing a house for Mr. Harvey at Pimlico—I took him to the station-house, and went to Mr. Harvey—I then returned to the station-house, and the prisoner said he had told me a lie, that he had it from a man at Pimlico, but he would sooner suffer himself than tell me who it was—I went and found he had been at work repairing a roof for Mr. Deacon—I went on the roof of the house, and found the tiles removed, and the lead taken away—I compared the lead with the roof, and it fitted exactly with the nail-holes and other things—I went to his house, and found two more pieces, which made the quantity complete.

Cross-examined by MR. DOANE. *Q.* You are quite sure it corresponded? *A.* Yes—I met him at near six o'clock.

EDWARD EXTON. I am a plumber. I laid the lead in question down for Mr. Deacon about three years ago—it was fastened to the roof—I went with the policeman, and compared the lead which had been ripped off the roof—I think it must be the same lead.

JOHN BENNETT. I am a bricklayer. I employed the prisoner to repair these premises for Mr. Deacon.

Cross-examined. *Q.* How long have you known him? *A.* Five years—I had every reason to think well of him—I have been told he was in distress at this time, from inquiries I have made.

THOMAS DEACON. I have some partners—this lead was stripped off the roof of my house—I examined it with the officer.

Cross-examined. *Q.* I believe you have made inquiry about the prisoner? *A.* Yes, and feel very mercifully disposed towards him.

GUILTY. Aged 31.—*Strongly recommended to mercy.*

Confined Three Months.

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645. JAMES POWER was indicted for stealing, on the 9th of January, 100 pieces of paper, value 3*s.* 3*d.*, the goods of James Turner.

WILLIAM BARTON. I am in the employ of James Turner, a printer, in Cross-street, Hatton-garden. There is a shed at the back of the premises, where we keep paper—I saw the prisoner in the passage leading to

the yard—he was a stranger—I saw him go out with something under his coat—I followed and overtook him about three houses off—I asked what business he had there—he said he went there to ease himself—I asked what was under his coat—he asked me to forgive him—I took the paper from him—there were one hundred pieces—this is it—(*looking at it*)—it is worth 3*s.* 6*d.*

JAMES TURNER. I am master of the premises—this paper is mine.

Prisoner's Defence. I was passing by—a man named John Charles came out and asked me to carry that for him.

GUILTY. Aged 65.—*Recommended to mercy.*—Confined Eight Days.

646. JOHN SHAUGHNESSEY was indicted for stealing, on the 24th of January, 1 pair of boots, value 5*s.*, the goods of Joseph Bell.

MARY ANN BELL. I am the wife of Joseph Bell, a shoemaker, in William-street, Marylebone. On the 24th of January the prisoner was lurking about the window—I suspected him, and told him to go away—he crossed the road to the butter-shop, and attempted to take a rabbit, but seeing somebody come towards the window, he came across to my shop again, and when I was engaged with a customer, he came to the door-post, untied a pair of boots, and put them under his jacket—I ran out and collared him—he struggled with me, and in the scuffle he put the boots on the nail again—he then told me he had not done any thing—I am sure he had them in his hand, quite off the nail.

Prisoner's Defence. They fell off the nail—I went to put them up, and she caught hold of me.

GUILTY.* Aged 11.—Transported for Seven Years.—Convict Ship.

Before Mr. Justice Williams.

647. JOHN HEAPHY and ELIZABETH TOYE were indicted for stealing, on the 23rd of December, at St. Mary, Islington, 3 coats, value 8*l.*; 2 cloaks, value 7*l.* 10*s.*; 6 spoons, value 3*l.* 5*s.*; 1 table-cover, value 10*s.*; 1 table-cloth, value 10*s.*; 1 desk, value 2*l.*; and 2 umbrellas, value 1*l.*; the goods of William Waymouth, the master of Toye, in his dwelling-house.

ELLEN ELIZABETH DUBBERLEY. I am the daughter of Mrs. Waymouth, the wife of William Waymouth, by a former husband, and live with them at No. 30, Park-street, Islington. The female prisoner came into our service on the 26th of October—on the 23rd of December, about half-past five or a quarter to six o'clock in the evening, I had occasion to go from the upper part of the house to the store-closet in the basement to give out some articles—on passing down stairs I observed that the parlour and street doors were both shut—I was followed down stairs by Toye, who had a candle in her hand—she was in the habit of lighting the passage-lamp every evening at half-past five o'clock—she had not lit it that night—I remained below two or three seconds, and returned up stairs immediately after—I then found the street-door wide open, and the parlour-door open, with a chair against it—a neighbour came across, and went for a policeman—we examined the premises immediately after, and missed the property stated—the cloaks had hung up in the hall; the writing-desk was on the parlour table; the tea-spoons had been placed in the tea-cups on the parlour table; the umbrellas were in the umbrella-stand in the hall; the table-cover was on the table; and the coats were folded up behind the front-parlour door, in a chair—it was Toye's duty to set the tea-things

a little before six o'clock—they were set rather earlier than usual that evening—she had no directions to do that—when the discovery was made Toye inquired whether there was any money in the desk—she did not appear particularly anxious about it—no suspicion attached to her then—we heard nothing more until the 6th of January, when Toye asked leave of absence for the afternoon, and said she should return about nine o'clock in the evening—she had permission to go, and did not return all night—on the following afternoon, between one and two o'clock, a boy with oranges came to ask for the keys of her boxes—I made inquiry of him—he told me from whom he came, and pointed out the male prisoner to me in the street—he was standing nearly opposite the house—one key was given to the boy by the other servant, but the boxes remained—between five and six o'clock that evening the prisoner Heaphy came himself to the house—I immediately knew him to be the person I had seen in the morning—I had seen him several times before at the house, talking to Toye—he took away Toye's boxes that night—I do not know what took place—my mamma was exceedingly ill at the time.

Heaphy. *Q.* What did the boy say when he came? *A.* That he had been sent by the young man who stood over the way—I only saw one key given to the boy—whether that was taken off a ring I do not know—I have seen you several times outside the street-door—I cannot tell at what time exactly—it was near to the 23rd of December—I saw you four or five times—I saw you once or twice from the window, and at other times when I have been going from the house into the street, going out and coming in.

Mr. Clarkson. *Q.* Have you spoken to Toye about it? *A.* No.

William Waymouth. I am a surveyor, and live in this house. On the 23rd of December I left my great coat, among other things, in the parlour—I had been out the whole day—I returned about seven o'clock, and was informed what had happened—Toye asked me whether there was any money in my desk—I afterwards saw one of my coats at the office—I was not at home on the 6th of January when Toye went out—she did not return—on the 7th, about five o'clock, Heaphy came and said he had come from Elizabeth Toye, to say she was very unwell, and was sorry she could not return, but hoped to do so in two or three days, if her mistress liked her to return—(in consequence of suspicion I had procured a policeman to attend at my house—I opened the door to Heaphy myself, expecting him to come that evening)—I asked him if he knew Elizabeth Toye—he said yes, he had known her some time—I said, "Are you any relative?"—he said, "Well, I have a very great affection for Elizabeth; and, to be candid with you, we have been some time living as man and wife"—this was in the hall—the officer was at this time in the kitchen—I then asked him to go below with me into the kitchen, and I questioned him more particularly as to where Toye was, and got from him that she was waiting in the street—he said so to Mr. Redpath, a solicitor, who was in the house at the time—I sent for Toye, to where Heaphy said she was, and Mr. Redpath brought her back—her boxes were searched, by her consent—Heaphy manifested great willingness to have them searched before she came in, but I thought it right she should be present—I asked Heaphy where Toye was on the night she left—he said the reason was they had been to Drury-lane, and had a little too much to drink, having been at a raffle, and she could not return—she was present—they were afterwards allowed

to go away in a *cab*, and took the boxes with them—up to that time I had obtained no information of my property—this is my coat—(*looking at it*)—it is worth about 3*l.*—it is nearly new—I lost two more worth 2*l.*—one cloak was a lady's, and a valuable one—the other older, and worth 5*l.* or 6*l.*—the articles lost were worth considerably more than 5*l.*

Heaphy. *Q.* You asked me where Toye was? *A.* Yes—you said you had left her in the City very unwell—I asked how long you had known her, and I think you said two or three years; that she was the nearest relative to your knowledge that you had, indeed that you had a great affectionfor her, and that you lived as man and wife—I asked if you had been in my house before, and you said you had been there—I have no recollection of asking you who the boy was that you sent—I asked if you had not been taken up for a robbery, two or three weeks since—you said, no, not for a robbery, you had been taken before a Magistrate, for detaining 3*s.* 6*d.* from your master, but he had lent you the money—I asked you in whose service you had lived, and you replied, "With Mr. Brooks, No. 51, Doughty-street, Mecklenburgh-square"—I believe I asked where Toye and you had lived together, and you said you lived fellow-servant with her at Mr. Goldey's, No. 39, Baker-street.

MR. CLARKSON. *Q.* Did he tell you where he was in May, 1837, or 1838? *A.* He did not.

MISS DUBBERLEY *re-examined.* *Q.* From the time you were descending the stairs to the passage of the house, till you returned, was it, in your judgment, possible for any body to have come into the house, or gone out, without being let out by Toye? *A.* I thought it impossible any body could have come in, and opened the door, and taken the things, and let themselves out, in so short a time—my mother was confined to her bedroom at this time, and there were two nurses in the house attending her—there was nobody down stairs for a quarter of an hour, except Toye and myself.

WILLIAM ROBERTS. I am shopman to Mrs. Cordwell, a pawnbroker, in Exmouth-street, which is about a mile from Park-street. On the 23rd of December I received this coat in pledge from the prisoner Heaphy, about seven o'clock in the evening, for 25*s.*

Heaphy. *Q.* What did I say to you? *A.* I do not exactly recollect—I think I asked you if the coat was your own—I have no distinct recollection of putting any question to you—I do not recollect whether you handed the coat into my hand—there might be another young man in the shop—I was the person that wrote the ticket—I do not write tickets unless the article is given to me.

COURT. *Q.* Do you remember whether that is the coat that was brought? *A.* It is, and I have no doubt the prisoner is the person who brought it—I can swear, to the best of my recollection, he is the person—I do not think I have any doubt about him—I have no doubt—to the best of my recollection, he is the man—I had the person before me at the time I wrote the ticket, but at this distance of time I cannot positively swear to him—William Noon was present—(*looking at his deposition*)—this is my hand-writing—it was read over to me before the Magistrate—I attended before the Magistrate on the 29th of January—I saw the prisoner there, and recollected having seen him before—as far as I recollect, he is the person I gave the money to for the coat.

HENRY LYON REDPATH. I am in the office of Deane and Company, solicitors. I was at the prosecutor's house on the 7th of January, when

Heaphy was there, and heard what passed respecting Toye—I went over to the spot where I expected to find Toye—when she saw me come out of the door she knew me, and turned round and walked away—I followed her, and walked fast—she walked fast, and at last I was obliged to run to overtake her, which I did, and brought her back—I asked if she was waiting for the person in Mr. Waymouth's house—she appeared confused, and gave no answer—I attended before the Magistrate, and heard the pawnbroker sworn—I saw him about the office before he was examined—he had an opportunity of seeing Heaphy in the office—I did not hear him state in Heaphy's presence that Heaphy was the man before he was before the Magistrate—I heard what the female prisoner said before the Magistrate, and heard it read over to her—this is Heaphy's examination—(*looking at it*)—he did not sign it—it was read over to him, and taken down at his dictation by the clerk—it is Mr. Mallet's hand-writing—I know this signature is the Magistrate's hand-writing—Heaphy was present at the time Toye gave the account—Heaphy did not give any other account than that—he was asked what he had *to* say, and it was taken down—he made no remark when it was read over to him—I do not know that he was asked to sign it—(*read*)—"The prisoner Heaphy says, 'I saw Mr. Waymouth—he answered the door to me, and asked what I came for—I said, to make an apology about Elizabeth not being able to come home—I said she was close by—he asked if I had ever before been to his house—I said, once, and said I had lived as a fellow-servant with her, and was no relative—I said, yes, when he questioned me as to being a particular acquaintance of hers—he asked if I had not been at Hatton-garden office lately—I acknowledged I had'"—the prisoner Toye said nothing."

Samson Darkin Campbell. I am inspector of the police. I took Heaphy into custody on the morning of the 14th of January, at a public-house in the neighbourhood of Hatton-garden—I knew him before—I told him he must consider himself in my custody, as I suspected him of a robbery, referring to another case—nothing passed respecting this robbery.

Miss Dubberley *re-examined*. The parlour opens into the hall—the parlour-door is one or two yards from the street-door—it is the first door a person would come to from the street—the store-room is below the stairs leading from the street-door—it is under the hall, on a level with the area—I was not more than two or three minutes in the store-room—when I came up I found the parlour-door open, with a chair against it—the street-door was shut when I passed—the catch was shot, it being evening I observed that—the parlour shutters were not up, but nobody could get in there, as there is an area before it, and an iron-railing—I noticed the latch—I am positive it was fast.

Toye. *Q*. Was not I with you when you went down into the store-room? *A*. Yes—I heard somebody exclaim that the street-door was open, and I ran up directly—Toye followed me up stairs, but not immediately—she was down stairs with me the whole time—she was up stairs previous to my calling her to go down—I went straight down stairs, and she went with me, and she remained below till after I came up—I do not know whether she could have opened the door—I do not imagine that she opened it then—she could not have done so as she passed with me.

William Noon. I am in the service of Mrs. Cordwell. I was present on the 23rd of December when this coat was pawned—I did not take it from the person who brought it—I did not notice the person who brought it

at all—I have seen the prisoner Heaphy in the shop, but what with, or at what time, I cannot say. NOT GUILTY.

Before Mr. Justice Coltman.

648. JOHN HEAPHY and ELIZABETH TOYE were *again* indicted, with FRANCIS CONNOR, for stealing, on the 8th of January, 9 balls, value 12*s.*; 1 decanter, value 10*s.*; and 5 salt-cellars, value 4*s.*; the goods of Edward Bryant: and that Heaphy had been before convicted of felony.

EDWARD BRYANT. I keep the Plasterer's Arms public-house, in Little Marylebone-street. On Wednesday, the 8th of January, a little after six o'clock in the afternoon, the prisoner Heaphy came to my house with another man—I cannot say whether it was Connor—I saw them go past the bar up stairs to the first-floor—I do not remember seeing Toye—I did not see any body else go up stairs—I saw one of the party go out at the door afterwards—I just saw his back in going out—I heard him come down stairs, and there was another came down at the same time—my boy came, and gave me information, and I went up to the first-floor front room three or four minutes after I had seen the man go away—I missed from that room a decanter and four salts, and from the adjoining room nine ivory balls, which have been used for bagatelle, but not since I have been there.

Heaphy. *Q.* You saw another man and I go up? *A.* Yes—I was in the bar—I do not know that you had any thing with you—some steaks were brought in, and one of you asked if they could be dressed—I do not know which—I said they might have them dressed.

WILLIAM WRIGHTON. I am servant to Mr. Bryant. On the evening of the 8th of January I saw Heaphy and another man, who is not here, go up stairs—I was called out of the room below by my mistress to take them a light up stairs, which I did—I took them into the first-floor front room, which is used as a parlour—mistress gave me the steaks to take down to cook—I lighted the fire, dressed the steaks, and took them up stairs—Connor and Toye came in about ten minutes after the others, and before I took up the steaks—I first saw them in the passage leading from the street-door to the stairs, and saw them go up stairs into the same room—I took the steaks up to them on a tray with a cloth, and left the room when I had put them on the table, leaving them all four together—they had four knives and forks and plates—I did not stay to see them eat, but they were all eating when I left the room, all in one party—they staid about three-quarters of an hour—Toye paid me for what they had, at the table just before they left, and I left them all four in the room—she gave me a 5*s.* piece, and I gave her the change—they remained in the room five or ten minutes after I went down—I was in the room below when they left, and saw the shadow of Toye, and I think Heaphy, go past the window—I went into the passage, and saw them go just outside the door—they all left the room at one time—I directly went up to the parlour—I found the cupboard-door ajar, which I had left quite closed, and missed four salts and a glass decanter from it—I had gone to the cupboard while I was waiting on them at dinner, and shut the cupboard-door quite fast—I saw the decanter and salts there at that time—nine ivory balls were gone from the adjoining room—I can swear to all the three prisoners being of the party—I never saw either of them before—I had sufficient opportunity to see them, and know them—I saw them again at Hatton-garden, about a week after.

Heaphy. Q. Was it me and another man came in first? *A.* Yes—one of you asked if you could have a fire—I said, "Yes"—that was when you were up stairs—I took a candle up to the room—I am perfectly certain of you.

GEORGE COLLIER. I am a policemen. On the 8th of January, near seven o'clock in the evening, I was sent for from George-street station-house, and saw the three prisoners with another man in Great Marylebone-street, Portland-place, at the corner of Duke-street, nearly half a mile from the Plasterers' Arms public-house—Heaphy was walking arm-in-arm with Toye, and the other two were walking side-by-side a few yards behind them—when I saw Heaphy I concealed myself in a doorway for a particular reason, till they went past—I then came out and followed them—when they got to Cleveland-street they all four joined and were talking together—they crossed Cleveland-street, and went along Howland-street, crossed Tottenham-court-road and Pancras-street into Grafton-street, and there the three men stood in the middle of the street, while Toye went into a pawnbroker's shop—in a short time she came out, and they all went into a coffee-shop opposite—I knew Heaphy before and am certain of him—the others were strangers to me except the fourth man who is not here—I did not see them again for a fortnight or three weeks, when I saw them in Clerkenwell prison—I am certain of Connor and Toye for I nearly ran against them—I was within a yard of them at first—Heaphy appeared to be half drunk—I noticed their features on purpose to know them again—they passed several gas lights.

Heaphy. Q. Did you see me with any bundle? *A.* No, or I should have stopped you—you appeared to be dressed as you are now—I know the other young man—I believe him to be a thief—I have never seen him since.

Toye. I did not go into the pawnbroker's shop. *Witness.* I saw her go in at the side door, and come out in about ten minutes, and go to the men.

HENRY HANCOCK. I am servant to Mr. Crouch, a pawnbroker, in Grafton-street. On the 8th of January, I received a decanter and four salts in pawn in the name of James Thompson, between seven and eight o'clock in the evening—I cannot say whether it was either of the prisoners—I do not recollect seeing Toye in the shop.

SAMSON DARKIN CAMPBELL. I am an inspector of the police. I searched some boxes at the house of Mrs. Brown, on Sunday the 19th of January, and found among other duplicates one for nine balls pawned at Wadmore's—*all the* three prisoners were in custody at that time—Mrs. Brown showed me the boxes.

SARAH BROWN. I keep a lodging-house. On Saturday night, the 11th of January, Toye and Heaphy came to lodge at my house and slept there Saturday, Sunday, and Monday nights—on Sunday the 19th Campbell came and searched some boxes which belonged to Toye—I saw him take some duplicates out of her box—the prisoners had been taken into custody on the Wednesday—they went out on Tuesday night, and I saw no more of them—Connor drank tea with them on the Tuesday evening—he did not lodge there—they all three went out together.

Heaphy. Q. Who took the lodging? *A.* Toye—there was a man with her who I considered her friend—you came at ten o'clock, and she told me you were her husband—you had a black eye on Saturday night and Sunday—I did not notice your face on Tuesday—I was in the

room with you at dinner-time, but did not notice whether you had more than one black eye, nor that your nose had been bleeding—I have ascertained that you did come home on Tuesday night, and left in the morning, before I was up—I did not see you, but I find my son let you in.

WILLIAM TRANAH. I am servant to Mr. Wadmore, a pawnbroker in Tottenham-court-road. On the 8th of January, between seven and eight o'clock in the evening, I took these nine bagatelle-balls in pawn from Heaphy, in the name of Catton, and gave him that duplicate for them.

Heaphy. Q. What did I ask you on them? *A.* Seven shillings—I gave you 5*s.*—there might have been other persons in the box, but I saw nobody but you—I did not notice that you had got a black eye—I had seen you six or seven times before, and am positive you are the man.

EDWARD BRYANT *re-examined.* This is my decanter—it is rather a singular one—there is no particular mark on it, but I know its general appearance—I have no doubt the salts are mine, from their general appearance, and these are my balls—the red one has a white spot on it, and a place as if it had been burnt.

Heaphy's Defence. On Wednesday evening Toye and I visited a friend in Bryanston-square, and in returning home about half-past six, met Connor and another young man, who introduced himself to me as Davis—they proposed to have something to drink—Connor said he had had no dinner, and I said we could have a steak—I gave Davis the money, and he went to buy a steak—I said, "You and Connor go to the next public-house, get it cooked, and we will go and get some bread"—Toye and I went to Mr. Duke's, a baker in South-street, got half-a-quartern loaf, and went to the public-house—I met the pot-boy in the passage, and said, "Are two young men here?"—he said, "Yes, up stairs"—we went up, and had the steaks and half-and-half—we came out of there before them—Davis said, "Here are some salts and two decanters, shall we take them?"—I said, "No, they are such paltry things, we don't want them, I would not be seen with them"—Toye and I came down together, and left them there.

Connor's Defence. I deny that—I met Heaphy, and that young man, and the female together, all three in the public-house—Heaphy said he was going to call on a friend in Bryanston-square—I went with him there, and he asked me to go and have a beef-steak—I said I would—Heaphy went and purchased the steak, and I went with Davis, who Heaphy introduced me to, to the public-house—the prisoners brought the steaks—Davis said, there were some bagatelle-balls in the adjoining room, and he should take them out, which he did—I did not see him take them out of the room—I believe he gave them to Heaphy to pawn, and the decanter and salts Davis pawned himself, but Heaphy and Davis first proposed taking the balls.

Toye's Defence. I know nothing at all about the property being taken—the young man who is not here gave me the duplicate of the balls to take care of—I know nothing about pledging them—I went to the coffee-shop.

THOMAS HARRISON. I am a policeman. I produce a certificate of Heaphy's former conviction—(*read*)—I was present at his trial and conviction—he is the person who was convicted on that occasion of stealing forks.

Heaphy. Q. Do you remember the night you took me into custody? *A.* Yes—you were in your master's livery, and said you were short of

money, and did it through distress—you told me where your master lived —I do not know that you were in respectable service in Baker-street, after you came out of the House of Correction—I saw you behind a carriage in Baker-street, and as soon as we found you were in service, we let your master know of this, and you left.

Heaphy. I conducted myself well in respectable families since that, and was got out of all my situations through officers giving information; so that the question was, whether I was to get my bread honestly or not. I endeavoured to get situations, but through the envy of the officers was never allowed to earn my bread as an honest man, but was obliged to associate with other characters. I was before the Magistrate, who said, "I forbid you to make application to any gentleman's service"—I said, "What am I to do, sir, to live honestly?" It was through distress I took the forks to pawn. I should not have gone in my master's livery to pawn spoons.

HEAPHY—GUILTY. Aged 28.—Transported for Fourteen Years.
TOYE—GUILTY. Aged 28.—Transported for Seven Years.
CONNOR—GUILTY. Aged 27.

Before Mr. Justice Williams.

649. FRANCIS CONNOR was *again* indicted for stealing, on the 9th of January, 1 coat, value 20*s.*, the goods of George Arnot.

FRANCES RAWLINGS. I live in the service of Mr. George Arnot, a stationer in Soley-terrace, Pentonville. On the 9th of January, just after seven o'clock in the evening, the prisoner came and asked for apartments—I showed him some unfurnished apartments which we had to let—he said he wanted them for a friend coming from Boulogne, and he would call next day at two o'clock to see my master—we went down stairs together, and then he asked me to oblige him with a glass of water—I went down into the kitchen to get it—I was not away more than three minutes—when I came up he was gone, and I missed a great coat, which had hung at the foot of the stairs—when I went up stairs I saw it.

Prisoner. Q. Are you quite positive I was the person? *A.* I am, by a cast in his eye—I noticed him as we stood talking.

HENRY HAMPSTEAD. I am in the service of Mr. Ward, a pawnbroker in Gray's Inn-lane. On the 9th of January, between six and eight o'clock, the prisoner pawned a great coat, in the name of James Thompson, No. 26, Theobald's-road, for 12*s.*—I am positive of him.

Prisoner. Q. What question did I ask, if I am the person? *A.* You asked me a sum on the coat which I cannot recollect—I asked you if it was your own property—you said it was—I positively swear you are the person, by your manner and address—I could not help noticing you—you appeared to have been a person better off than people who pledge.

(*Property produced and sworn to.*)

Prisoner's Defence. I certainly acknowledge taking the coat, it was entirely through distress.

GUILTY. Aged 27.—Confined Twelve Months.

First Jury, before Mr. Justice Coltman.

650. CATHERINE NUGENT was indicted for feloniously making 8 pieces of counterfeit coin, resembling, and apparently intended to resemble and pass for three current shillings.

MESSRS. ELLIS *and* CHAMBERS *conducted the Prosecution.*

WILLIAM STANNARD. I am a police-sergeant. On Saturday, the 25th of

January, I went with some officers to No. 10, Bowling-street, St. John's, Clerkenwell, at a quarter-past three o'clock in the afternoon—the outer door was shut—I put my shoulder against it and pushed it open—I went up to the attic on the third-floor, which is the only room on that floor—the door was shut but not fastened—on opening it I saw the prisoner in the room, sitting on a box, before a clear fire—she got up—I caught hold of her, and she dropped something white on the floor, which I suspected was a mould—it parted, and she set her foot on part of it, and said something, but I could not distinctly hear what—I pushed her away, and picked up part of a mould complete, and some pieces—it has been put together since—there is the impression of a counterfeit shilling on the mould, and I found a counterfeit shilling, with a *get* to it, which dropped out of her hand, with the mould altogether—it was hot when I picked it up—I afterwards searched the room, and found eight counterfeit shillings in front of her in a saucer on the bed—I produce them—they appeared as if just made, and all appear to correspond with the one dropped, and with the mould—I saw White, who was with me, take a short tobacco-pipe off the fire, with fluid metal in it—I found nothing on her—I asked who the room belonged to, she said to her.

Cross-examined by MR. PAYNE. *Q.* You had no difficulty in getting in at the door of the house? *A.* No—there were other officers in the room when she said the room belonged to her—I do not know whether they heard it—she said so in the room while I had her in custody—I handcuffed her before I searched her person—there was no difficulty in getting into the room—I seized her the moment she got up—I merely put my hand to her clothes outside, between her gown and petticoat and felt under her arm—she went into the parlour below stairs afterwards, to put her bonnet on—I went there, in consequence of information I received—there are three rooms in the house—there was very little furniture in the top room.

HENRY REDMAN. I am a policeman. I went up stairs with Stannard, and entered the room at the same time as he did—the prisoner had then got up from the box, and was standing near the fire-place—I saw Stannard take up the mould and shilling—I found three counterfeit shillings in addition to what he has mentioned, and three pieces of metal, and one counterfeit shilling bent along with it—the metal is part of a spoon—Stannard had just got hold of her as I entered—she said something, but I did not distinctly hear what.

BENJAMIN FARROW. I was in company with the other officers—when Stannard had hold of the prisoner, I heard her say, "I am *done*," and she stepped her foot on one part of the mould—I found three counterfeit shillings on a hat-box in front of the fire.

Cross-examined. *Q.* Where were you when you heard her say this? *A.* We all three went to the door at once—I was behind the serjeant.

MR. CHAMBERS. *Q.* What sort of a neighbourhood is this? *A.* A very low neighbourhood.

JOHN DAVY WHITE. I am a policeman. I went into the room a minute or two after the other officers, and found a tobacco-pipe red hot, and fluid metal in it.

JOHN FINK. I am a policeman. I went to the room, and found a cup on the window-ledge, containing damp plaster-of-Paris, and a spoon in it—the prisoner was in the room at the time, and in a rag, tied up, was

some dry plaster-of-Paris—when the prisoner went down stairs, she went into the parlour for her bonnet and shawl, which hung on the bed there, and I found two files on the window-cill of the parlour, while she was there—she had not been near the window-cill then.

MR. JOHN FIELD. I am inspector of coin to her Majesty's Mint. This is a plaster-of-Paris mould for the casting of counterfeit shillings—the shilling found with the *get* to it corresponds with the impression in all respects, and has been cast in this mould, I am perfectly sure—all the shillings produced have been cast in this mould—there are fifteen—the tobacco-pipe contains white metal similar to the counterfeit shillings, and would be used to pour the metal into the mould—two of the pieces of metal appear to have come from the *get* of the mould—here is part of a Britannia metal spoon, which the shillings are made of—plaster-of-Paris is what the mould is made of—the files might be applied to remove the surface metal off the shillings, the roughness of the casting.

Cross-examined. Q. Do the files appear to have been used? A. They *do*—the shillings are not quite finished—they are just as they came out of the mould—they require the roughness of the edge to be removed by a file, and the *get* cut off.

MR. CHAMBERS. Q. Are these coin intended to resemble shillings? A. Yes—the impression in that mould is made with a good shilling.

GUILTY.* Aged 30.—Confined Two Years.

Before Mr. Justice Coltman.

651. DANIEL CRAVEN was indicted for unlawfully, maliciously, and feloniously assulting Adam Weatherstone, on the 31st of December, and wounding him upon his head, with intent to maim and disable him.—2nd COUNT, stating his intent to be to do him some grievous bodily harm.

ADAM WEATHERSTONE. I live in Harris's-court, Ratcliffe, the prisoner lives next door to me. On the 31st of December, about a quarter to twelve o'clock, I came in, and as I went in, I heard the prisoner at my door abusing me very much—I made him no answer—I think he was very much intoxicated, from what I could learn—I went out and came in again at half-past twelve o'clock—I asked my wife if he was in bed—she said she believed he was, but I heard him say, "I am not in bed, you Scotch b——, I will be the death of you this night"—I said, "Go to bed, and I will answer you in the morning, I never did you any harm in my life"—he said, "So I will, old man, I will go to bed," and he wished me good night—about five minutes after, he came and rapped at my shutters, and said, "Come out here, I want you"—I said, "Just let me alone, I am not well"—he said, "I want to speak to you"—I went out, and he stood at his own door—I went up to his door—he caught hold of me round the neck, and struck me on the head with a hammer—the first blow almost knocked me senseless—the *fire* flew from my eyes, and I thought they were knocked out of my head—the first blow was struck just at the top of my head—I said to him, "Craven, what do you mean by this? I thought you would have been the last man to use me in this form; do you mean to murder me?"—he said, "Yes, you Scotch b——, I mean to murder you"—he took me, and was dragging me into his own house, beating me on the head repeatedly with the hammer—his daughter said to him, "Father, don't pull him in here, see his blood is lying on the threshold of the door"—he made a tremendous blow at me, which I kept off with my hand, or it would have killed me—he then handed the hammer over his

shoulder to his daughter, and she concealed it—the policeman came directly after, and took him into custody, and I went home to my own house as well as I could—I received between eight and nine cuts on the head from him—it was a two-clawed hammer, about a pound and a half weight—I have had the hammer in my hand many times—he struck me with both parts of it—where he struck with the claw part, it made two wounds, and the other part made only one—I went to the hospital immediately.

Cross-examined by MR. DOANE. *A.* Is the prisoner a ballast-getter? *A.* Yes—I have known him nearly twenty years—he has been thirteen years or more in the service of the Trinity House—I have been in the habit of calling him up occasionally to go to his work—he had been ill just before this happened—my wife did not come and fetch me home this night—the prisoner had complained a day or two before that I did not call him—he never made use of bad language to me about it, nor did my wife tell me he had—I cannot tell what he was angry with me about—I never had a cross word with him in my life, but always the greatest of friendship—I wanted to know what it was for—he said I had given his children victuals, and that I begrudged it—I made no answer to his abuse—my daughter was present when I got the first blow—she was sitting there when I came home, but went to bed—nothing more passed than I have stated—he said enough to irritate me, but I did not think it worth while to answer, because I knew when he was sober he was a different man—I had no fight with him—I did not fall down at all—I should have done so if the shed of the door had not kept me up—there was no butcher's block where we were—there was one in the yard, but I did not fall down on it, nor on any stool.

MARY ANN HARGRAVE. I am the prosecutor's daughter, and live with him. I was in bed when the prisoner called my father to the door—I heard my father go to the door—I instantly ran down stairs in my night-dress—before I could get down he had got to the door, and the door was opened—my father was on the threshold of the door then, just going out, when I got to the door the prisoner had got one arm round my father's neck, and with the other arm he was striking blows on his head with the hammer—he said, "You Scotch b——, I will do for you now"—he was still striking blows on my father's head with the hammer—I screamed out, "Murder"—my father said, "Oh, *Dan*, it is murder you mean, is it?"—the prisoner said, "Yes, I will do for you this night"—he was trying to drag my father into his own house, and his daughter said, "Oh, father, don't drag him into your own house, for see at the blood on the threshold of the door now"—the policeman then came up and took the prisoner away, and my mother and I led my father in-doors.

Cross-examined. *Q.* When you came down, did you see any body but your father in the first instance? *A.* No one but his daughter, who took the hammer over her father's shoulder—I heard the prisoner come and rap at my father's window, and call him out, and say he wanted to speak to him—my father said, "I don't want to have any thing at all to say to you to-night, for I am unable, I am very ill indeed."

HENRY GOULD (*police-constable K* 79.) I was called on this evening, and went to the place—I saw the prosecutor sitting in his own house, bleeding in torrents from the head—I spoke to him—he did not seem to understand me—he seemed insensible—I then went to the prisoner's house, and on entering the door I heard him say, "Now let the b—— po-

liceman come in"—I immediately seized him by the collar, with the assistance of my brother officer, and took him to the station-house.

JOHN JACKSON. I am a pupil at the London Hospital. The prosecutor was brought there about two or three o'clock in the morning—his wounds were dressed when he came, and I did not undo the dressings till the next morning—he slept in the hospital that night—I found eight or nine wounds on the head and forehead—they were such as might have been made by the claw-end of a hammer—I did not probe them—I cannot tell whether the skull was fractured—no portion of the bone was displaced, that I am aware of, but it might have been—I should say the wounds were not very severe—they were dangerous—I apprehended erysipelas from them—he had erysipelas subsequently—I attribute that partly to the wounds, but I think exposure to the cold air at the police-office might have had something to do with it—at one time his life was in danger—I cannot say whether the wounds went to the bone, not having been the first person to dress them.

Cross-examined. Q. Was the scalp severed at all? *A.* It was divided—the wounds were more contused than incised—they might have been produced by falling on the edge of a block, but a man must have rolled about a good deal to cause them all—I do not think they would have been produced in that way.

(The prisoner received a good character for humanity.)

GUILTY on the 2nd Count. Aged 45.—*Recommended to mercy.*

Confined Two Years.

Second Jury, before Mr. Common Sergeant.

652. WILLIAM JONES was indicted for feloniously breaking and entering the dwelling-house of John Hickson, on the 4th of February, and stealing therein, 1 cloak, value 3*l.* 10*s.*, the goods of John Smith: and 1 coat, value 3*l.*, the goods of Gabriel Mitchell.

JOHN SMITH. I live at No. 43, Frederick-street, Gray's-inn-road. On the 4th of February I had a cloak, which I hung up in the hall that morning at half-past eight o'clock—I returned about half-past seven o'clock in the evening, and it was gone.

GABRIEL MITCHELL. I am stopping at this house, and was there that day—I had a coat hanging up in the hall—I missed it about a quarter-past seven o'clock—this is it—(*looking at it.*)

ANN GRIFFIN. I am servant at No. 43, Frederick-street—it is the dwelling-house of John Hickson, and is in the parish of Clerkenwell. On the evening of the 4th of February I heard the street-door opened—I had seen it an hour and half before shut—I went up to see who it was, and saw the prisoner coming into the passage—I saw him take the coat off the peg, and go out with it—I ran after him, and called "Stop thief"—he threw the coat down, and I brought it home—this is it—I saw the prisoner next day—I am sure he is the man who threw it down.

HENRY CAPON. I am a porter, and live at Hoxton. I was going down Harrison-street, and saw the prisoner running and throw down the property—hearing an alarm of "Stop thief," I ran, and followed him till he was taken—I did not lose sight of him.

Prisoner. He said at the office I threw down the coat, and about sixty yards further I threw down the cloak. *Witness.* Being rather a dark place I might be mistaken, but he threw down the property—it looked to me like a cloak—I did not say I saw him throw something down twice.

Prisoner's Defence. On going down the street, I saw a man run out of the house with something under his arm—he dropped the coat—I went to pick it up, and was accused as the person myself.

(The prisoner received a good character.)

GUILTY of Stealing only. Aged 21.—Confined Six Months.

653. MARY ANN PURDAY was indicted for stealing, on the 15th of January, 1 cloak, value 6*l.* 6*s.*, the goods of Magnus Gilbert Laing Meason, in the dwelling-house of Edwin Dove.

THOMAS BEALE. I am in the service of Captain Magnus Gilbert Laing Meason, of Clifford-street, Bond-street. On the 25th of January he had a cloth cloak, which I saw safe at five o'clock in the evening on a chair in the drawing-room—it is the dwelling-house of Edwin Dove—I missed it next morning, and found it at the pawnbroker's—I do not know the prisoner.

WILLIAM CHARLES GREYGOOSE. I am shopman to Mr. Bassett, a pawnbroker, in Queen-street, Lincoln's-inn-fields. I took this cloak in pawn of the prisoner on the evening of the 25th of January—I received information afterwards, and gave notice.

Cross-examined by MR. PAYNE. *Q.* Did you ask her whose it was? *A.* I did, and she said, "John Bentley's," a young man who she knew—she has been in the habit of pawning at our shop—the ticket was lost, and she afterwards came and produced an affidavit.

THOMAS BEALE *re-examined.* Ours is a lodging-house—a gentleman lodges there, with a servant—his name is Latouch—I do not know the servant's name—the door is kept latched—I never saw the prisoner there.

EDWIN DOVE. I am owner of the house. I was at the pawnbroker's when the prisoner came in—there was a coat lost at the same time as the cloak—I asked her where the coat was—she said she did not know—she said the duplicate of the cloak was given to her by a young woman, and afterwards that it was by a young man.

Cross-examined. *Q.* Did not she say it was given to her by Bentley? *A.* I do not know—she said before the Magistrate that she pawned it for him—she said the duplicate or the cloak was given to her—I do not know which.

NOT GUILTY.

654. JOHN SCRINSHAW was indicted for stealing, on the 29th of January, 1lb. 8 oz. weight of copper, value 18*d.*, the goods of William Jones, his master.

WILLIAM JONES. I am a coppersmith, and live in Castle-street, Leicester-square. On the 29th of January, I saw my copper safe—this is it (*looking at it*)—the prisoner was in my service.

THOMAS GREEN. I am apprentice to Mr. Jones. On the 29th of January I saw the copper safe in the shop—I went up stairs, leaving the prisoner in the shop—I returned in about two minutes, and he was in the front shop, but the copper was gone—he went out—I followed him to a marine store shop where he was in the act of selling it—that is the copper (*looking at it.*)

GUILTY. Aged 21.—*Recommended to mercy.*—Confined Six Months.

655. MARY ANN SWEENEY was indicted for stealing, on the 6th of January, 1 shawl, value 7*s.*; 1 gown, value 1*s.*; and 3 yards of flannel, value 4*s.* 6*d.*; the goods of Jeremiah Murray, and that she had been before convicted of felony.

JEREMIAH MURRAY. I live in Brighton-street, Cromer-street. The prisoner came backwards and forwards to see her mother who lodged in my house—the prisoner was in distress, and I gave her board and lodging till we could find her a situation—I saw the articles stated, safe about eight o'clock in the morning of the 6th of January, and missed them that morning—these are them—(*looking at them*)—mine is a lodging-house for respectable working people.

EDWARD WOODS. I am shopman to a pawnbroker in the Commercial-road. I produce a shawl which was pawned, I believe, by the prisoner, on the 9th of January—this is the duplicate of it—(*looking at one.*)

EVERARD PARKIN. I am a policeman. I took her into custody—this gown was taken from her person.

DAVID BLACKMORE. I produce a certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—she is the person who was convicted.

GUILTY. Aged 18.—Transported for Seven Years.

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656. MARK BENJAMIN was indicted for stealing, on the 20th of January, 2 coats, value 3*l.*, the goods of Thomas Bird.

THOMAS BIRD. I am a corn-dealer, and live in Mile-end-road. About eight o'clock on Monday morning, the 20th of January, I had two coats hanging in my shop—I missed them on Tuesday morning about half-past six o'clock—this is one of them—(*looking at it.*)

Cross-examined by MR. PRENDERGAST. Q. You do not know the prisoner? *A.* I have seen him once.

JAMES ROBERTSON. I am a policeman. The prisoner was given into my custody on Tuesday evening the 21st of January, about five o'clock—I told him he was charged with having sold a stolen coat—he said he knew nothing about any coat, he had sold no coat the night before.

Cross-examined. Q. Do you mean to swear he did not say he had sold several coats? *A.* No, he did not—he did not say he had several dealings in old clothes—I did not tell him when the coat was stolen.

MICHAEL COHEN. I am a clothes-dealer, and live in Sandys-row, Houndsditch. On the 20th of January, about seven o'clock in the evening, the prisoner came to my shop with this great coat, and sold it to me—he did not sell me more than one at that time—I have bought coats of him at other times—he is a clothes-dealer, and lives, I believe, at the back of my house.

Cross-examined. Q. You know him to be a clothes-dealer? *A.* Yes, he is in the market dealing every day—I gave him 9*s.* for it, if I had got 10*s.* for it in the morning, I should have sold it, that is the value in the trade—I saw him about the market in Cutler-street, ten or twelve times that day—he had several coats for sale—there are stalls all along Cutler-street—we lay out 20*l.* in ten minutes, and sell them directly after—people come from Ireland to buy clothes—honest people come to sell clothes—I do not know whether the prisoner lives at the back of my premises now—he does not buy for me particularly—if I see him pass my door he buys for me or any body else.

WILLIAM CLAY. I am a policeman. I went to Cutler-street with the prosecutor, and saw Cohen—we saw the coat, and I told him to try it on—he did so, and said it fitted him—I called Cohen aside, and told him I would pay him for it—he said, "Can't you pay me here?"—I said, "No, come

into a public-house in Houndsditch, and I will settle with you," and when he came out, I showed him my authority—I was in plain clothes—he begged hard to go into Cutler-street, and he would show me who he bought it of—I took him to the station-house, and he was liberated next day—on Tuesday evening I saw the prisoner in custody, and asked him if he had sold that coat to Cohen—he said, "No"—I said, "Did you sell one like it?"—he said, "No."

Cross-examined. *Q.* Was there not a dispute between him and Cohen about it? *A.* No—I heard him say he had sold Cohen many coats, but not that night.

MR. PRENDERGAST *called*

DANIEL LEVY. I am a dealer in old clothes in Cutler-street—I have known the prisoner fourteen or fifteen years—he is a regular dealer in old clothes. [On the Monday before this, I saw him about his business all day long in Cutler-street, and did not miss him three minutes all day—I saw him frequently in the course of the day.

GEORGE JACOB CANTER. I am a cap-maker, and attend in Cutler-street every day. On the Monday before the prisoner was apprehended I saw him there repeatedly.

ABRAHAM ISAACS. I saw the prisoner all day long about the market on Monday—he bore an honest character. NOT GUILTY.

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657. GEORGE SLATER was indicted for stealing, on the 31st of January, 2 sheets, value 1*l.* 5*s.*, the goods of Elizabeth Corbett.

ELIZABETH CORBETT. I am a widow, and am a laundress, and live at Hornsey. On the 31st of January, about half-past one o'clock, I hung three sheets out to dry in my garden by the roadside—in consequence of information I received, I looked, and missed them—these are two of them—(*looking at them.*)

Cross-examined by MR. PAYNE. *Q.* You are quite sure those are your sheets? *A.* Yes.

JOHN ELLIOTT. I am a pawnbroker, and live in Kingsland-road. I stopped these sheets of the prisoner on Friday evening the 31st of January—I asked him whose they were—he said his mother's—I asked him where his mother lived—he said, at "No. 14, Queen's Head Wharf, Hoxton"—part of the initials on them are either gnawed or scratched out.

ROBERT QUINLAN. I am a policeman. I took the prisoner into custody at Elliott's—he said some person at the Queen's Head public-house, Hoxton, had given him the sheets to pawn—I did not make any inquiry there.

(The prisoner received a good character.)

GUILTY. Aged 17.—*Strongly recommended to mercy by the Prosecutor and Jury.*—Confined One Month.

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658. ANN DAVIDSON, *alias Proctor*, was indicted for stealing, on the 18th of January, 3 printed books, value 10*s.*, the goods of William Watson Marsh.

WILLIAM WATSON MARSH. I am a bookseller, and live in Old Cavendish-street. On the 18th of January the prisoner came to my shop, and said she came from Lady Morrison, of Cavendish-square, to borrow the third volume of "Charles Tyrrell"—I said I had not got it—Lady Morrison does occasionally send to me for books—I gave her the first and second volumes of "The Old English Gentleman"—she brought them back

saying Lady Morrison wished to have a complete set of books—I then gave her the three volumes of "The Merchant's Daughter," I believe—I gave her three printed books however—I have not seen Lady Morrison since—the prisoner said she was her servant.

Cross-examined by MR. PAYNE. Q. Had you ever seen the prisoner before? *A.* Never—I let her have them on the faith of her representation that Lady Morrison wanted them, and that she came from her—they were to be returned again—I was only to be paid for the reading.

AGNES ROSE. I am housekeeper to Lady Morrison, of Cavendish-square, and have been so twenty-four years. I know nothing of the prisoner—she was not at Lady Morrison's on the 18th of January—she never brought any books to our house, and was not sent for any.

GEORGE THORNTON. I am a policeman. I was sent for to Mr. Marsh's, and saw the prisoner there—he said, "This woman has been obtaining a quantity of books from me in the name of Lady Morrison"—I asked what she had done with them—she said a female who was standing on the step of Lady Morrison's door had sent her for them, and if I went with her, I should see her standing there; that she was dressed in a green satin bonnet, and a red plaid shawl—I went with her there, but could see nobody—she gave me her name and address, "Ann Davidson, No. 14, William-street, Hampstead-road"—I went there, but could find no such person—I afterwards found she lived at No. 10, Hereford-street, Lisson-grove, and is married.

Cross-examined. Q. What is her husband? *A.* A journeyman plumber—I went to Lady Morrison's, and saw her and the servants.

(The prisoner received an excellent character.)

GUILTY. Aged 24.—Confined Six Months.

(There were other indictments against the prisoner.)

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659. HANNAH JENNINGS was indicted for stealing, on the 28th of December, 2 shifts, value 2*s.*; 2 aprons, value 9*d.*; 1 petticoat, value 1*s.* 6*d.*; and 1 bed-gown, value 1*s.*; the goods of Maria Reeve.

MARIA REEVE. I am a widow, and live in Charles-street, Lisson-grove. On Saturday night, the 28th of December, I had a bundle of clothes in my house to be mangled—the prisoner came about nine o'clock that evening, and said, "This is my bundle, you have not done them, I must take part of them out undone"—I mangled them directly, and gave them to her, as she said they were hers—I did not know her before, but parents very often bring things, and children fetch them, and children bring things, and parents fetch them—she said she lived at Mrs. Bates's, at No. 17, in our street—I do not do business for Mrs. Bates, but she keeps lodgers—I gave her the articles stated.

SARAH BATES. I am the wife of William Bates, and live in Charles-street. The prisoner lodged in our house—I did not authorise her to fetch this bundle—I never saw it—she had been away from me a fortnight.

Prisoner's Defence. I am quite innocent of the charge—I never saw the prosecutrix before.

MARIA REEVE *re-examined.* I am certain she is the person—she was not apprehended on my charge.

GUILTY. Aged 21.—Confined Three Months.

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660. JOHN PUDDIFORD was indicted for stealing, on the 22nd of

January, 148lbs. weight of potatoes, value 3*s.* 9*d.*, the goods of William Perkins, his master.

WILLIAM PERKINS. I live in Great James-street, Lisson-grove. On the 22nd of January I bought at Covent-garden market two tons of potatoes, which were put into my cart—the prisoner was my servant—I desired him to drive them home—in consequence of information I went into Vine-street, and found my horse and cart there, and the prisoner in custody—I weighed the potatoes when I got home, and they were 1¼cwt. short—I had not weighed them at the market.

THOMAS WILLIAM GEORGE. I am a leather-dresser, and live in Greek-street, Soho. I saw the cart, and the prisoner driving, about four o'clock—I saw the prisoner taking a dozen or two of potatoes out of each sack, and putting into a loose sack at the back—I followed him to the corner of Thomas-street, and gave information to a policeman, who watched him—I saw him, with the assistance of a man, shoot the potatoes into a basket, he was going away with them, when we took him into custody.

(The prisoner received a good character.)

GUILTY. Aged 17.—*Recommended to mercy.*—Confined Three Months.

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661. JOHN SHEPHERD was indicted for stealing, on the 13th of January, 1 10*l.* Bank-note, the property of James Locke, in his dwelling-house.

JAMES LOCKE. I am a woollen-draper, and live in Regent-street, in the parish of St. James. On the 13th of January, about two o'clock, the prisoner came to my shop, and asked me to allow him to wait there awhile for a gentleman—I said he might, and immediately went up to my dinner, and told my young man to have a sharp look-out—a gentleman came in afterwards and bought some goods, for which he paid a 10*l.* note—my young man put it into the till, and after I came down we found the prisoner had disappeared, and the 10*l.* note was gone—I have since found a note—I do not know it to be the note myself.

JOHN GOULDING. I am shopman to Mr. Locke—I remember the prisoner coming in, and remember a gentleman named Newman coming in, and paying me a 10*l.* note, which I put into the till—a short time after, the clerk went to settle his cash, and the 10*l.* note was missing—the prisoner had then left the shop—I had been in the shop all the time—I saw him near the till, which was lying on a piece of goods, while he asked me to cut him a pattern out of a piece of goods—there is no mark on the note—the shop-door was wide open, and I was alone in the shop—there was a pile of goods close to the till, and he was leaning over the goods, and asked me to give him a pattern of it, and that pattern was found on him.

JOHN FENN. I am an officer. The prisoner was pointed out to me—I took him to Bow-street, and found 2*s.* 6*d.* in silver, one penny-piece, two gold pins, a pearl pocket-comb, and two duplicates on him—he never said, "What do you want me for?" or any thing, but went to Bow-street without saying a word.

WILLIAM LEWIS ASHMAN. The prisoner gave a prisoner of mine a sovereign, after he was locked up, which I produce.

WILLIAM JONES. I am a turnkey of Westminster Bridewell. On Friday, the 24th of January, on the prisoner's return from re-examination he was searched, and six sovereigns found between his drawers and stockings.

HENRY FULLER. I am a jeweller, and live on Ludgate-hill. On the 13th of January, about a quarter-past four o'clock, the prisoner brought a 10*l.* note to my shop, and changed it—I am sure he is the person—he spent 30*s.*

Prisoner's Defence, I changed the note at his shop; I met a man in St. James's Park, who asked me to get change for the note—he had a watch and pin, and left some money to redeem it, and gave me the difference.

GUILTY. Aged 18.—Confined One Year.

NEW COURT.—*Friday, February 7th*, 1840.

Fifth Jury, before Mr. Recorder.

662. FREDERICK SARGENT was indicted for stealing, on the 29th of January, 3 pewter pots, value 4*s.* 6*d.*; the goods of Stepen Chittenden; to which he pleaded

GUILTY. Aged 36.—Confined Three Months.

663. WILLIAM WATSON was indicted for embezzling, on the 27th of July, 7*l.* 18*s.*; on the 22nd of October, 14*l.*; on the 15th of November, 20*l.*; on the 29th of May, 1*l.* 6*s.* 6*d.*; on the 27th of June, 7*s.*; and on the 20th of November, 2*l.* 6*s.* 9*d.*; the monies of Miles Berry and another, his masters; to which he pleaded

GUILTY. Aged 46.—Transported for Seven Years.

664. MARY ANN JONES was indicted for stealing, on the 17th of October, 6 sheets, value 2*l.* 18*s.*; 3 table-cloths, value 12*s.*; and 4 pillow-cases, value 2*s.* 6*d.*; the goods of Thomas Wakefield, her master; to which she pleaded

GUILTY. Aged 22.—Confined Six Months.

665. JOHN BROWN was indicted for a misdemeanor.

The HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

CHARLES PANTRY. I keep the Princess Amelia public-house, in Oxford-street. On Thursday, the 2nd of January, about two o'clock in the afternoon, the prisoner came in, and called for two penny-worth of rum—he gave my daughter sixpence, which she passed to me—I am sure it was the one he put down—I put it on the shelf—I considered it was bad—he received the change and went out—after he was gone, I put the sixpence into my waistcoat-pocket, where I had no other—he came again next day for two penny-worth of rum and shrub, and offered me a sixpence—I suspected it to be bad, and put it into my waistcoat-pocket, and gave him change—I had nothing in that pocket but the other sixpence—I have no means of distinguishing it from the other—he came again on the 6th—my wife was in the bar—I am not sure what he came for—he had been in the habit of coming to my house—I saw him served—he gave my wife a sixpence edgeways—I took it, and put it into my waistcoat-pocket with the other two—I then went to the door to look for a policeman, and gave him in charge—I kept the sixpences in my waistcoat-pocket, and gave them to the inspector—I am sure these are the three—(*looking at them.*)

COURT. Q. Did you suspect the first sixpence to be bad? *A.* I did—I gave change because I wished to ascertain whether it was or not—I was

in some measure deceived with all the sixpences—I should say they would not impose on the prisoner as well as me—I knew the second was bad—when I put the second into my pocket the prisoner was still present—the first remained on the shelf till the prisoner was gone.

SUSAN PANTRY. I am the prosecutor's wife. On Monday, the 6th of January, the prisoner came for two penny-worth of rum—he gave me a sixpence—I examined it, and saw it was bad—I handed it to my husband—he walked out with it, and fetched a policeman—I had not given the prisoner his change—he asked me afterwards for half a pint of porter, and told me to warm it—while I was doing so he walked out, without his change—my husband was then at the door—the prisoner had seen me hand the sixpence to my husband, and my husband go out.

WILLIAM ROBERT BLACK. I am a police inspector of the D division. I took the prisoner, and received these three sixpences from the prosecutor—I asked the prisoner how he came to pass them—he said he was not aware they were bad, and he had taken them from his customers in selling oranges—he had a carpenter's basket with him, but no oranges—I found on him a good shilling and 10*d.* in coppers, three pieces of silk, and a small piece of wood—I never saw him before.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint. These three sixpences are all counterfeit, but all of coin of different dates.

Prisoner's Defence If I gave him a bad sixpence it was more than I knew—he had given me change, and I thought they were good—he dragged me away to the station-house, and told the policeman that I had given him three bad sixpences, and he would take his oath of it, the sergeant said, "That will transport him," and they searched me all over, and found no more on me.

GUILTY of the single Uttering. Aged 66.—Confined Three Months.

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666. JOHN PATTERSON was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

WILLIAM WILSON. I am a coal-dealer, and live in Luke-street, Shoreditch. On the 17th of January, between four and five o'clock in the afternoon, the prisoner came for two Yarmouth herrings, which came to 2½*d.*——he gave me a shilling, and I gave him change—I was waiting to serve another customer, and I put the shilling on the edge of the parlour mantlepiece by itself—I took it down about two minutes after, and saw it was bad—there was no other one near that—I put it into a bit of paper—I saw the prisoner next day, about the same time—he asked the price of my coals, and went away—I went out with some coals, and met him—I turned, and saw him go towards my shop—I turned round, and saw him offer my wife a shilling—I snatched it from him—I took him out to see for an officer—I took him down to the office, gave the shillings to the officer, and marked them.

MARY WILSON. I am the wife of the last witness. On the 18th of January the prisoner came to our house, and asked for two herrings—he offered me a shilling—I saw it was bad—I bit it, and gave it him back, and told him it was bad—my husband came up and took the shilling, and took him into custody—I had seen the prisoner on the 17th—I saw him put the shilling down, and saw my husband take it—I knew him again when he came on the 18th—I am sure he is the same man—I served him myself that day, and my husband took the money.

EDWARD CLEMENTS (*police-constable H* 35.) I received these two shil-

lings from William Wilson—he marked them—I apprehended the prisoner—I found 3*s.* 6*d.* in silver on him, all good, and 1½*d.* in copper.

MR. JOHN FIELD. These are both counterfeit, and both cast in one mould.

Prisoner's Defence. I had 3*s.* 6*d.*, where I took it I cannot tell—I cannot swear I did not pass the money, though I doubt having passed the first, and they found 3*s.* 6*d.* in good money on me—from my great age I am liable to be imposed on by my customers.

GUILTY. Aged 65.—Confined Twelve Months.

677. MARY SHANNON and JEMIMA CLEMENTS were indicted for a misdemeanor. NOT GUILTY.

668. ANN WILLIAMS was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ELLIS *conducted the Prosecution.*

JOHN BATEY. I am a tailor and draper, and live in Queen-street, Pimlico. The prisoner came to my shop about twelve o'clock in the day of the 11th of January, for a yard of ribbon, which came to 4*d.*—she gave me a counterfeit half-crown, I gave her change—I sounded the half-crown at the time I took it, and thought it was good, but immediately she left the shop I thought by the appearance and feel that it was bad—I gave it to my wife—she put it into a drawer—I afterwards got it from her, and took it to the station-house—I let the policeman see it—I kept it separate from other money in my pocket till I got to Queen-square—it has not been out of my sight—I am quite sure the prisoner is the woman.

MARY ELIZA BATEY. On the 11th January, I received a half-crown from my husband, which I put into the right-hand corner of my work-table drawer—there was no money there—on the Monday after the prisoner was taken I gave the same half-crown to my husband—about six o'clock in the evening of Monday the 13th, the prisoner came for a halfpennyworth of thread and a paper of needles, which came to 2*d.*—she offered a half-crown, and by the gas-light it looked very black—I took it up, called to my neighbour Mr. Pearce, and said, "Could you oblige me with change for half a crown?"—I told him to mind the prisoner—I gave the half-crown to Harding—it had not been out of my sight till then.

GEORGE HARDING (*police-constable B* 150.) I took the prisoner on the 13th of January—I received this counterfeit half-crown from Mrs. Batey.

MR. JOHN FIELD. These are both counterfeit, and both cast in one mould.

Prisoner's Defence. I am in the habit of selling things in the street, and on going up Cheyne-row, I saw a woman with oranges—I had 2*s.* in copper in the corner of my shawl—she asked me if I wanted change, I said, yes—she said she had but half-a-crown, I said I had but 5*d.* more, and she gave me the half-crown for the 2*s.* 5*d.*—I thought then I had another penny, and I gave it her.

GUILTY. Aged 18.—Confined Three Months.

669. ANN SMITH was indicted for stealing, on the 4th of February, 3 sovereigns, the monies of William Stevenson.

WILLIAM STEVENSON. I am master of the brig *Vesper*, lying in the Long Reach. On the 3rd of February, about half-past eleven o'clock at night, I took a walk out of Mr. Royston's house where I had been drinking—I found the door shut when I returned—I went up Gravel-lane, and saw the prisoner—I said, "Is that *Beckey* M'Carthy," she said, "It is not"—I said "Where do you live when you are at home?"—she said, "I don't

live here"—she took me up Gravel-lane to one house, they refused to take us in—she took me to King David-lane—we went to a house there and went up stairs—the bed was to be 2*s.*—I pulled out half-a-crown—they asked me for 2*d.* more to get some spirits—we went to bed and in three-quarters of an hour the prisoner got out three times, and when I turned out in about two hours and a half, I found my pantaloons in a different place—my purse was half in and half out of my pocket, and only three sovereigns in it out of six which I had had—I said, "You have taken three sovereigns"—she said, "Lie down, it will be all right in the morning"—I went, lifted the window up and called a policeman—I opened the door myself—the prisoner covered her head with the clothes—the policeman said, "I know you, your name is Hunt, you were only liberated from prison to-day at twelve o'clock"—I did not find my money—I had seen it a minute before I went to bed—there were six sovereigns in one end of my purse, and sixpence in the other—I had been asleep but not long—my trowsers and coat were on a chair close by the bed.

JURY. *Q.* Who led you to the house? *A.* She said she knew where the house was—I did not know a house in the place.

GEORGE HALE (*police-constable K* 54.) I heard the alarm of "Police" on the morning of the 4th of February—I went to a house in King David-lane—the prosecutor complained of being robbed—I found the prisoner in the room—she covered her head over—I made her dress—I searched the room but could not find any money—she denied having done it—the prosecutor was perfectly sober.

Prisoner's Defence. I met this gentleman very much intoxicated—he asked me if I had any home—I said no—he asked me if I could get him a bed, and he would give me 5*s.*—he told the servant to take his shoes to clean—he did not pay me—he had locked the door, and I never moved out of the room till he called for a light and called the policeman.

GEORGE HALE *re-examined.* The door was open when I got there, and there was a light just taken up.

WILLIAM STEVENSON *re-examined.* She had not asked me for 5*s.*, and I had not promised it her—I said to the good lady who took the shoes down stairs, "I will give you sixpence for yourself"—when I missed my money, between three and four o'clock in the morning, I said to the prisoner, "If you will give me two sovereigns, I will forgive you the other"—she told me to lie down, and it would be all right in the morning—I had locked the door and put the key in one of my pockets, and my purse was in the other—the door was locked till I opened it myself when the servant-girl brought the light—the prisoner was in bed, and I do not know what they drank the night before, when the drink came in—I would have no spirits—I had a pint of half-and-half, and one-third of that remained till the morning—I had missed my money before the light came, and before I had opened the door—the key was in my pocket when I awoke in the morning.

GUILTY. Aged 20.—Transported for Seven Years.

670. HENRY SCOTT was indicted for stealing, on the 11th of January, 3 spoons, value 10*s.*, the goods of Aaron Henry Hart, his master; to which he pleaded

GUILTY. Aged 15.—Confined Six Months.

671. WILLIAM MAYNARD was indicted for stealing, on the 13th of January, 1 watch, value 1*l.* 4*s.*, the goods of Joseph Pickford.

JOSEPH PICKFORD. I am a bookbinder, living in Beaumont-terrace, Stepney. On the 8th of January the prisoner came to my house, between one and two o'clock—he asked for an apartment—I said I could not give him a positive answer till Mrs. Pickford came home—he came again, and we let him the apartment—he said his name was William Maynard, that he was a midshipman on board the *Rhadamanthus*, in the West-India Docks, and had come from the Isle of France—he wanted to lodge for seven weeks or more—he said his father was a major at the Isle of France—he came in without a reference—he could give none—he brought no boxes or luggage—the next day he said he was going to the ship, and would bring me a parrot—it did not come—he left on the 13th, without notice—after he was gone we missed a watch off the mantel-shelf in the back-kitchen—I found no such ship as he mentioned—there had been such a ship, but she was a government steam-vessel, and had been gone three weeks—I saw the prisoner afterwards in the Whitechapel-road, and collared him—he begged me not to collar him—I said I would keep him fast.

OCTAVIA AUGUSTA PICKFORD. I am the prosecutor's wife. On the 13th of January I left my house at half-past ten o'clock, leaving in the house Jacobs, an apprentice—I had seen the watch at twenty minutes to ten o'clock in my husband's hand—the prisoner had it in his hand, and was laughing at its gaining an hour in the day, and at its being so curiously *navigated* as to require to be put back half an hour at night—when I came back, at half-past twelve o'clock, the watch was gone.

JESSE JACOBS. I am apprentice to Mrs. Pickford. She left me and the prisoner in the house—he gave me a coat to brush—when I had done that I went into the yard—I turned my head, and saw him take the books off the table, which he had been reading—no one had came into the house from the time my mistress left till the prisoner went away at a quarter-past eleven o'clock—I did not miss the watch till twelve o'clock—no one had been in the kitchen besides me and him—no one could have come in without my seeing it.

WILLIAM HAGGERTY (*police-constable K* 55.) On the 28th of January the prisoner was given into my custody by the prosecutor—he said he knew nothing of the watch, but he had seen it at Mr. Pickford's house—I found three duplicates on him; one related to a watch, but not the prosecutor's—I found on him a pocket-book and 5*d.* in copper, and sundry papers.

Prisoner's Defence. I left the house, but took none of the prosecutor's property—I saw the watch on the mantel-shelf when I left.

GUILTY. Aged 19.

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672. WILLIAM MAYNARD was *again* indicted for stealing, on the 22nd of January, 1 purse, value 6*d.*; 1 half-sovereign, and 5 shillings; the property of William James Elliot; to which he pleaded

GUILTY.* Aged 19.—Transported for Seven Years.

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673. SARAH MARTIN was indicted for stealing, on the 17th of January, 1 watch, value 3*l.*; and 1 ribbon, value 1*d.*; the goods of Charles Humphries, from his person.

CHARLES HUMPHRIES. I am a publican out of business, and live at Whitefriars, close to the Temple. On the night of the 17th of January, I went to the west end of the town, and looked at several houses which

were to let—on my return, the prisoner accosted me at the corner of Castle-street—she said, "I believe I have the pleasure of knowing you"—I said, "You have the advantage of me"—she said, "Which way are you going?"—I said, "To the city"—we walked on—she said, "Where are you going?"—I said, "To a public-house"—she said there was a nice house opposite, where there was a pawnbroker's at one corner of a turning and a public-house at the other—she took me to it—I did not like it—we came on, and went to Great Wild-street—we went to a public-house, and called for a glass of gin-and-water—I went out to look at another house—when I came back, the glass was empty, and we had some more—we went some distance, and went into another house, where I represented her as my wife, and we had another glass of gin-and-water—we went on till we got near my home—I said, "Will you have any more before we part?"—she said, "I have no objection"—I turned to go to another house, I got to the lobby, and she was gone—I walked home, and when I was going to bed I missed my watch.

Cross-examined by MR. DOANE. Q. What time was that? *A.* About nine o'clock in the evening—I went into two public-houses with her, and four or five by myself—she walked with me from Long-acre to Fleet-street—we went up to the club-room in Great Wild-street, but as there was no fire, we came down—nothing more took place between us than drinking—on my oath there did not—I took her with me, because she accosted me, and asked where I was going—I did not tell her I would marry her—I had not drank much—I was quite sober—she was dressed respectably—I pulled out my watch to see the time in Great Wild-street—there were two persons in the parlour while I was there—I did not give her the watch to take care of, and put it into her bag—there was a gentleman sitting at the farther end of the table, previously to my being alone with the prisoner upstairs—no liberties passed between us, neither from me to her, or from her to me—I have been out of business between four and five months—I was last in business at the Coach and Horses public-house, in High Holborn—I left it on the 30th of September, because I sold it—I am living on my property—I am married—I represented myself as single.

WILLIAM NEWBY. I live in Drury-lane. This watch was pawned for 25*s.*, by Mary Berkeley, who was acquitted, on Saturday, the 18th of January.

GEORGE WESTON (*police-sergeant F* 6.) I apprehended the prisoner on the 21st of January in Vinegar-yard—I told her what it was for, and the name of the other person who pawned it—she said, "She pawned it with my consent," and she stated where, at the station-house.

CHARLES HUMPHRIES *re-examined.* She stated at Bow-street that I offered her two sovereigns and the watch—that I put them both on the table, and she would not take the money, but she took the watch.

NOT GUILTY.

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674. JOHN UPTON was indicted for stealing, on the 28th of January, 15¼lbs. weight of copper, value 14*s.*; the goods of William Simpson and another, his masters.

MR. HEATON *conducted the Prosecution.*

ROBERT NEEDHAM. I am in the employ of James and William Simpson, who are engineers, in the Belgrave-road. They have copper similar to this in their store-room—on the 28th of January I and another person

received directions to be in their store-room in the evening, in consequence of having made a report of some being lost—the prisoner was in their employ, and had been so nearly three years, as a private watchman—there are two store-rooms—one of them has three doors, one of which leads into the counting-house, but it was locked—when we went into the store-room the foreman locked us in, and put the key where it was usually put, in a drawer in the counting-house—this was about seven o'clock in the evening—about half-past eight o'clock I heard some one unlock the door, and the prisoner came in at the door which led to the lobby of the small store-room, with a lantern in his hand with a lighted lamp in it—he went direct to the place where the copper was deposited, and took one piece, as I ascertained afterwards—he returned in the same direction, locked the first and second doors, and went out—I got out of the place where I was concealed, and opened another door which has no lock on, went out, and detected him a few yards from the last door—Chivers came up while I had hold of him—he had this piece of copper with him, which is 15½lbs., and is worth about 11*d.* per lb.—I collared him, and said, "I want you, old fellow; I am very sorry I have been obliged to watch to detect you"—he did not know who I was—he was in a kind of stupor, but afterwards he asked who I was, and begged me to say nothing about it—Chivers came up, and took the copper from him.

Prisoner. *Q.* Did you not give the key of the store-room into my possession, and tell me to open the door? *A.* Never—I have a key here which does not open the store-room—this I have given the prisoner to let a woman in that cleans the office.

Frederick Chivers. I am a carman, in the employ of Messrs. Simpson. On the 28th of January I was set with Robert Needham to watch the store-room—I heard some one unlock the door, and saw the prisoner enter, walk deliberately to where the copper was, take a piece, put it under his arm, and walk out, and I heard him lock the door after him—I saw Needham go after him—I followed, and came up with him—Needham collared him, I took the copper from under his left arm, and his lantern from his hand—I took him to the lodge, and Needham went to Mr. Simpson—I saw something shining in the prisoner's hand, and took this key of the store-room from it, which he had let himself in and out with—I asked what could possess him to do it—he said he did not do it for himself—I said, "You must be a foolish man to do it for others"—he said, "There is no knowing what you may do before you die, Fred."—I gave the policeman the copper—it is Mr. Simpson's.

Prisoner. *Q.* Did I not leave the copper with you, and did you not call me a b—y scoundrel? *A.* I did not.

John Legg (*police-constable K* 155.) I was fetched to the prosecutors' premises about five minutes past nine o'clock—I found the prisoner in custody of Chivers, who pointed out the property.

Prisoner. *Q.* Did I not tell you there had been an argument with the men about the weight of that copper, and I was going to weigh it? *A.* You said you were going to weigh it, but you first said you had not had it; and that Chivers did not find it on you.

Robert Needham *re-examined.* There were men at work in the top part of the premises, but not where the prisoner took the copper from—his wife comes there at different times.

Prisoner's Defence. There had been an argument about the weight of

some pieces of copper—some said they were from twenty to thirty pounds—I took one piece to weigh, and these men came up to me—I did not know who they were—it was not likely I should go then to steal it, when I could go any hour at night—the men were coming from work.

(Amelia Mullins, a widow, of King's Head-court, gave the prisoner a good character.)

GUILTY. Aged 46.—Transported for Seven Years.

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675. HENRY BROWN was indicted for stealing, on the 14th of January, 4 metal cocks, value 5*s.* 4*d.*, the goods of Susannah Beaumont.

ELIZABETH BEAUMONT. I am the wife of Thomas Beaumont—I saw the prisoner come into my husband's shop in Union-street, Hoxton New-town, on the 14th of January, take a paper of taps, and put them into his pocket—I took him by the collar, and pulled them out of his pocket—these are them—they are the property of my husband's mother, Susannah Beaumont—he remained behind the counter, where I saw him first—he begged me to let him come round the counter, as it would be worse for him if the policeman found him behind the counter.

JOSEPH FEARNE (*police-constable N* 244.) I found the prisoner at the prosecutor's shop—these taps were delivered to me, he begged to be let go, and said it was the first time—I found 1*s.* 0½*d.* on him.

Prisoner. I was out of place, and had no shoes—my sister gave me 1*s.* 0½*d.*, and I went to get some nails—the woman came in, put her hand on my shoulder, and *shoved* me behind the counter—these taps laid on the counter, and I pushed them down—she took them up, and said I was going to put them into my pocket.

ELIZABETH BEAUMONT *re-examined.* They were partly in his pocket, but one being tied outside the parcel, he could not slip them down.

GUILTY. Aged 17.—Confined Six Months.

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676. WILLIAM THOMAS was indicted for stealing, on the 25th of January, 1 pewter pot, value 1*s.*, the goods of John Culverwell.

JOHN CULVERWELL. I keep a beer-shop in Chapel-place, Belgrave-square. On the 25th of January the prisoner was brought to me by the landlord of a public-house close by, with this pot in his possession, which is mine.

GEORGE JERRARD. I am a helper in General Stanhope's stable—I saw the prisoner taking this pot from the stable door in Chapel Mews—I gave information, and he was taken.

Prisoner. *Q.* Was it inside or outside? *A.* Outside.

LUKE OWEN. I keep the Coachmaker's Arms public-house in Belgrave-mews—I was informed the prisoner had got a pot—I followed him, and found it was Mr. Culverwell's—I took him there—he said he had found it on the pavement at General Stanhope's door.

PETER PAUL (*police-constable C* 172.) I received custody of the prisoner, and have the pot.

Prisoner's Defence. This pot laid on the pavement—there was nobody handy, and I took it up.

GUILTY. Aged 27.—Confined One Month.

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677. FREDERICK CRUSO was indicted for stealing, on the 24th of January, 6½ yards of kerseymere, value 2*l.*; and 10 yards of kersey, value 3*l.*; the goods of William Sang and another, his masters.

WILLIAM SANG. I am a woollen-draper, and have one partner—the

prisoner was in our employ for seven weeks, and had a good character—I received information on Tuesday, the 28th of January, that these goods were in Mr. Marchant's shop—I went there, and saw them.

WILLIAM MARCHANT. I live in High-street, Bloomsbury. On the 24th of January the prisoner came in the evening, and brought a length of six yards and a half of kerseymere—he requested me to make it into trowsers for him—I measured him for them, but he said the time I mentioned was too long for him, and could I let him have some trowsers, and take the kerseymere—I said, "Yes"—on the Monday following he brought some kersey—I observed that he went to the prosecutor's shop, and I gave information.

(*Property produced and sworn to.*)

(Henry Chamberlain, a draper, at Norwich, in whose service the prisoner had lived for four or five years, gave him a good character.)

GUILTY. Aged 19.—Confined Three Months.

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678. JANE TOOMES and ANN CURTAIN were indicted for stealing, on the 17th of January, 1 basket, value 1*s.*; 7lbs. weight of flour, value 1*s.* 4*d.*; 1lb. weight of sugar, value 9*d.*; and 2 loaves of bread, value 6*d.*; the goods of Samuel Dias, from the person of Ellen Wilmot.

ELLEN WILMOT. I am ten years old: I live servant with Mr. Samuel Dias, in Church-street, Bethnal-green. On the 17th of January, about seven o'clock in the evening, I was sent out by my master for two quarterns of flour, some lump-sugar, and some bakers' twists—I got them, and had them in a basket—when I got to the corner of Brick-lane, I saw the two prisoners, Curtain kicked my heel, and drew blood—she said to me, "Oh, my dear, did I hurt you, shall I carry your basket for you?"—I said, "No, thank you," but she dragged the basket off my arm—they then whispered together—they took me down two or three dark turnings—I then saw Toomes take one quartern of flour out, and one bakers' twist—I began to cry, Curtain clapped her hand over my mouth, and said, if I did not cry, she would take me to the girl—two ladies told the policeman, and he came running—Curtain had the basket on her hand when the policeman came up—I had caught hold of her gown—Toomes had a red bonnet on, such a one as the officer had in his possession afterwards.

GEORGE KING (*police-constable H* 111.) About seven o'clock, on the evening of the 17th of January, I was going down Brick-lane, on my way home—in consequence of something a female said to me, I went down a street, and saw the prisoner Curtain by the side of this little girl—Curtain had a straw bonnet on, and a basket on her arm, which contained some bread, flour, and sugar—I asked the child who had robbed her, and Curtain said she had run through the court—I ran, thinking to overtake her, but I saw no one—I came back, and saw Curtain give the basket to the child, and the child had hold of Curtain's gown—I took Curtain—she said the other girl's name was White, and she could take me to where I could find her—after the first examination of Curtain, Toomes who was there, asked me how Curtain got on—I looked at her very hard, and recognised her as being one who was often with Curtain—I said, "I can take you to her"—I took her in, and the child recognised her directly—I found in the basket a quartern of flour, a pound of sugar, and a twist—I asked Toomes if she had a red bonnet—she said, "No"—I said, "No, a black one"—she

said, "Yes"—I went to the house were Toomes told me she lived, I saw her mother, and I found this red bonnet there.

Toomes's Defence. I know nothing of it.

Curtain's Defence. If I had been guilty I should not have walked forty yards after the policeman—he laid hold of me in Fashion-street, and said, "You are a party concerned;" I said, "I am not; I was willing to go;" I never had the basket, nor any thing else.

(Curtain received a good character.)

TOOMES—GUILTY. Aged 18.—Confined Nine Months.
CURTAIN—GUILTY. Aged 18.—Confined Six Months.

Fourth Jury, before Mr. Sergeant Arabin.

679. JOHN DRURY was indicted for stealing, on the 19th of October, 160 lbs. weight of copper, value 5*l.*, the goods of William Jenkins and another, being fixed to a certain building, to wit, a peach-house; to which he pleaded

GUILTY. Aged 39.—*Recommended to mercy.*—Confined Nine Months.

680. JOSEPH WILKINSON was indicted for stealing, on the 18th of January, 1 quart of beans, value 4*d.*, and 2 pieces of iron called keys, value 1*s.* 6*d.*, the goods of John Benbow, his master.

MR. CLARKSON *conducted the Prosecution.*

JOHN BENBOW. I am proprietor of Cowley Hall-mills, in the parish of Hillingdon, and reside there. Previous to the 18th of January, the prisoner had been one of my grooms—I had another groom—in consequence of some information, I caused Biggs, an officer, to be stationed to watch the prisoner's movements—after the officer had made a discovery, some corn was shown to me, some beans, and some iron—they are my property.

Cross-examined by MR. DOANE. *Q.* Were your beans a mixed sort? *A.* No—when these were shown to me they were—they were a parcel I had selected some months ago of a particular sort, the best I could get for my own horses—these were mixed with oats—I know the prisoner was in the employ of the Hon. Mr. Tollemache.

MR. CLARKSON. *Q.* Were yours Tartary oats? *A.* Yes—they were mixed in my bin, and when they were found they were mixed, and the oats found were Tartary oats.

JAMES BIGGS (*police-sergeant A* 11.) I went with John Scotney to a place about fifty yards from Cowley Hall Mills on the 18th of January—while we were proceeding the prisoner overtook us—he passed close by us, and said, "Good night"—he was going towards Mr. Benbow's premises—I noticed his dress and appearance—he had a fustian jacket or coat on—I observed the pockets of it, and I could tell that there was nothing in them, as the wind was very boisterous, and the coat flaps turned up several times—we placed ourselves near a hedge on Mr. Benbow's premises, and waited there, and in half an hour I saw the prisoner come in a straight direction from Mr. Benbow's stable—it was then about half-past six o'clock—when he came out he came down the road, and when he came to the end there was a gap in the hedge—I jumped over—the prisoner said, "Halloo, you frightened me"—I said, "What about?"—he crossed the road, and went on—I walked by his side—I said I was afraid it was Mr. Benbow come home, as I was over in his field, fishing—I noticed his pockets, and as we got on to a stile, I said, "You seem very bulky to-night"—he said, "No,

I have nothing"—I put my hand into his pockets, and felt the corn, I took hold of his collar—he called out, "Eliza," and some other name—(his own cottage was very near)—he said we were murdering him—while we were handcuffing him his wife came out, and said, "What have you been doing? what is the matter?"—I said he was my prisoner, he had been stealing his master's corn—she said he had not—Scotney then put his wife's hand into his pocket, and said to her, "Will you believe it now?"—she said, "Oh, dear, what shall I do?"—the prisoner said, "Never mind"—I went with him to the Fox public-house, and on the way he, by some means, got his hand to his left-hand pocket, and made a hole in it, and most of the corn fell out on the road—during that time Mr. Cole came up, and said, "Here is something falling from his pocket," and Mr. Cole caught some of it—I then took up the two ends of the prisoner's pockets, and took him on to the Fox public-house—I then found these two pieces of iron in one of his pockets, and a pocket-full of corn, and a little corn left in his left-hand pocket—this is the corn—he said, "I have done wrong, I must suffer for it"—I believe he keeps a horse.

Cross-examined. *Q.* How came you to handcuff him? *A.* He was very resolute, and tried to get away into his own garden—we handcuffed him at the little stile which leads to his own garden—Scotney was with me, but he had sprained his ancle, and could not render me any assistance—when the prisoner first passed he saw us—I had not seen him before, but I had a description of his person—I was on duty, and I had my uniform on—it was then about half-past six o'clock, and was rather darker than when he came out.

JOHN SCOTNEY (*police-constable T* 66.) I was with Biggs—the prisoner passed close by my elbow—I noticed his pockets particularly, and there was nothing bulky about him—we then concealed ourselves, waiting his return—he came from the direction of the stable—I have heard what has been stated—it is true—I was not at the Fox public-house when he was searched—I saw some corn on the ground the next day.

CHARLES COLE. I am foreman to the prosecutor—I have the management of Cowley Hall Mills. On Saturday evening, the 18th of January, I was coming out of my own door, which is about three hundred yards from the mill, and opposite the prisoner's cottage—I heard him cry out, "Gardner" and "Eliza," and when I got to him I found he was in the hands of the officers—he was resisting them—I advised him to go quietly—I followed him to the Fox public-house, and as he was going I heard something fall—I caught some in my hand as it was falling from his pocket—it was some of this corn, and oats, and beans—I held my hand under as it was running from the tail of his coat—I told Biggs, he took hold of the two ends of his pockets, and went on to the public-house—I heard him say he had done wrong, and no matter what became of him.

GEORGE HARRIS. I am groom to Mr. Benbow. I never gave the prisoner permission to take this corn, or this iron.

(The prisoner received a good character.)

GUILTY. Aged 42.—*Recommended to mercy by the Jury.*—Confined Six Months.

(There was another indictment against him.)

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681. **MARY BAKER** was indicted for stealing, on the 26th of January, 1 half-crown and 3 shillings, the monies of Samuel Adams, from his person.

SAMUEL ADAMS. I am a waiter at the King's Head tavern, in the Old Jewry. On Sunday evening, the 26th of January, I was in Hackney-road, about half-past eleven o'clock—the prisoner accosted me, and asked me to go with her—I went to Caroline-street, Hackney-road, to a lower room—I sat and talked with her—I had 11*s.* or 12*s.* in my right-hand breeches-pocket, and among it was a half-crown—I know it was secure when I went into the house—she sat on my right-hand side—I was sober—(I had been at home till the evening, and then went out for a walk to the Eagle)—I gave her a shilling before I went into the house, but I did not like the situation I was in, and got up to go away—I had taken no liberties with her at all—when I got to the door of the room I missed my money, and told her she had got it—she denied it—I told her she had robbed me of my money—she said she had not—the policeman was passing, and heard us—he took her—she said she had not got the money, nor had she taken it—the policeman found a half-crown and three shillings in the grate, which, I believe was part of what I had lost.

JOSEPH SMALLEY (*police-constable H* 175.) I heard the noise, and went into the house—I asked the prisoner if she had taken the money, and said, if she had, she had better give it up—the landlord and landlady came into the room—I said, "This girl has been robbing this man, and if she don't give it up, I will take the whole three of you to the station-house"—the landlady begged I would not for the sake of her husband's character—I then heard them whisper together, and some one said, "The ashes"—I then got a bit of paper, and found this money in the ashes.

GUILTY. Aged 17.—Transported for Ten Years.

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682. SARAH MEERES was indicted for stealing, on the 25th of January, 2 shillings, 1 sixpence, 4 pence, 8 halfpence, and 1 farthing, the monies of William Henry Torrington, from his person.

WILLIAM HENRY TORRINGTON. I am a tinman, and am about sixteen years old—I work for Mr. Sacker of Bow. On the 25th of January I was going home, and called at Mr. Butler's the butcher, in Whitechapel, on an errand for my mother—I met the prisoner by Whitechapel church, about ten minutes past twelve o'clock at night—I had not known her before—I went into a shop and bought a pork-pie, and as I came out the prisoner asked me for the pie, and said she was very hungry—I gave it to her, and then I was going up Brick-lane—she laid hold of my arm, and she would not let me go—we went on to the first turning, and she said, "You had better come home with me"—I told her I must go, as my mother expected me home every minute—she said, "Never mind, you shall come home and have a night's lodging for sixpence"—I said I could not stop, but she would not let me go—I went home with her to a house in Wentworth-street—she then said I must pay for the room—I gave her a shilling, and she kept it all—she said she meant to keep that; and then she asked for sixpence, and I told her I could not give it her—she kept on asking me, and I gave it her—she then said if I did not give her another shilling she would would beat my skull in with a patten—we were on the bed together about ten minutes—I had got this little tin box with 2*s.* 6*d.* in it, and the halfpence were in my pocket—she took the box out of my pocket twice—I took it from her, I took the money out of the box, and put it into my waistcoat-pocket—we came out, and after I had

been out about two minutes I put my hand into my pocket to feel for my money, and it was all gone—I did not say any thing to her, but I came on till I saw a policeman, and I told him—I have not got my money—I had a farthing amongst my copper, and 8*d.* or 9*d.* beside.

ALLEN PIPE. I am a policeman. I met the prosecutor—he said the prisoner had robbed him—I asked her how much money she had got—she said 2*s.* or 3*s.*—I said, "Let us look," and I found on her four shillings, one sixpence, 5*d.* in halfpence, and one farthing—she said she had money before, and he had given her some.

WILLIAM HENRY TORRINGTON *re-examined.* I gave her no more than the shilling and the sixpence.

Prisoner's Defence. I was coming along—he spoke to another girl who was with me—she went away—he came to me, he took me, and got a quartern of gin—he *chucked* down a half-crown, and said, "Will you have a pie?"—I said, "I don't mind," and then he went with me to this place, but as for striking him I did not.

WILLIAM HENRY TORRINGTON *re-examined.* I did not give her any gin.

GUILTY.* Aged 17.—Transported for Ten Years.

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683. WILLIAM AGNUS was indicted for stealing, on the 28th of January, 1 shawl, value 5*s.*, the goods of Elizabeth Hebben.

ELIZABETH HEBBEN. I am single. I went into the Three Cups public-house, at Bow, at eight o'clock in the morning of the 28th of January, to wait for a young man whose breakfast I took up—the prisoner was there—I took my shawl off my shoulders, and put it on the table while I had my frock pinned—I turned my head, and my shawl was missing—I went outside, and a lady told me something—I went to the pawnbroker's, and found my shawl—I came back—I found the prisoner sitting in the same room at the public-house—I asked him about my shawl—he said he knew nothing about it—this is it—(*looking at it.*)

WILLIAM EDWARD VINSON. I am in the employ of a pawnbroker at Bow. This shawl was pawned by the prisoner.

GUILTY.* Aged 19.—Transported for Seven Years.

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684. GEORGE MOORE was indicted for stealing, on the 22nd of January, 1 pair of trowsers, value 5*s.*; 1 coat, value 10*s.*; and 1 waistcoat, value 2*s.*; the goods of Angus Jamieson.

FRANCIS AMOU. I live in Riding-house-lane. The prisoner lodged with me for about two months—he is a tailor—I have a friend named Angus Jamieson—he went out of town in September, and left his property in my care—one box of his property was under the bed, and one behind the door—last Tuesday week when I went home at night I discovered the boxes had been opened—the prisoner had not been there for two or three days—he came home about six or seven o'clock in the morning on Wednesday, the 22nd of January—I got an officer, who found the duplicate of this property in his pocket.

THOMAS GASSON (*police-constable E* 193.) I was called in, the prosecutor gave the prisoner in charge for breaking open a box, and said he suspected some clothes were taken out of it—after some time the prisoner said he had taken some, but did not say what—I took up his coat, and found in a pocket-book in it three duplicates for a coat, waistcoat, and a pair of trowsers, pawned at Mr. Attenborough's.

RICHARD ATTENBOROUGH. I produce these articles, which were pawned by the prisoner.

ANGUS JAMIESON. I left my property with Mr. Amou—these articles are mine—some others were missing.

Prisoner's Defence. I was out of work, and only did it till I could get these things out again—I did not break the box—the lid was only on with one hinge.

GUILTY. Aged 25.—Confined Six Months.

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685. MARY BREWER was indicted for stealing, on the 27th of November, 2 pillows, value 4*s.*; 1 bolster, value 6*s.*; 3 blankets, value 7*s.*; 1 sheet, value 3*s.*; 1 quilt, value 2*s.*; 1 table-cloth, value 9*d.*; 1 looking-glass, value 1*s.*; 2 pillow-cases, value 1*s.*; and 1 flat-iron, value 6*d.*; the goods of Henry Nicholls Vittle.

ELIZABETH VITTLE. I am the wife of Henry Nicholls Vittle—we live in Bruton's-buildings, Shadwell. I let the prisoner a room furnished, on the 12th of November, at 3*s.* 6*d.* a week—she said she was married, she slept there with a man three nights, who she said was her husband—on the 27th of January I saw her go out—I thought she was bulky, and when she came back I went up stairs after her, and missed these things—I sent for an officer—the prisoner wanted me to go to her mother's, up at the Tower.

HENRY LAWRENCE. I am a pawnbroker. I have a blanket which was pawned by the prisoner.

(*Property produced and sworn to.*)

GUILTY. Aged 26.—Confined Four Months.

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686. WILLIAM WELLS and FREDERICK WALTERS were indicted for stealing, on the 2nd of January, 2 waistcoats, value 1*l.* 15*s.*; 1 pair of boots, value 1*l.*; 3 shirts, value 16*s.*; 1 blouse, value 8*s.*; and 2 brushes, value 2*s.*; the goods of John Gaspard Wright.

JOHN GASPARD WRIGHT. I was lately an officer in the army, but have retired, and live at Sandhurst. On Tuesday, the 2nd of January, I was leaving London, by the Blackwater coach on the Western road—I was an inside passenger, and this property was in a portmanteau, which I saw safely put on the coach in Charles-street, and strapped down under a tarpaulin—I had no doubt of its security—I missed the portmanteau on arriving at Blackwater, which is thirty miles from town—but taking it for granted that it had been taken off to shift the luggage at Piccadilly, I supposed it had been left there, and told the coachman to inquire about it—on the Saturday morning when he came to Staines, he made a discovery, and I went and identified my portmanteau—I have found but a small portion of my property.

Cross-examined by MR. HEATON. *Q.* Where did you get into the coach? *A.* At Piccadilly, but my luggage was put up in Charles-street—I never saw it afterwards—I did not see them shifting any luggage.

JOHN DAVIES WHITE. I am a policeman. I met Thomas Neale in Gray's-inn-lane on the 3rd of January—he was alone, and had this pair of boots—I had some suspicion, and apprehended him—I went to the Golden Lion public-house, and found the prisoner Wells in the tap-room—I asked him if he had given Neal the boots to pledge—he said he had—I asked how he came by them—he said he bought them in Holborn of a man who had several other pairs to sell—I asked him when he bought them—he said the same day—that he gave 7*s.* 6*d.* for them, and the

reason he wished to part with them was that they would not quite fit him, they were too small in the instep.

THOMAS NEAL. I work at Mr. Abbott's in cleaning harness, or washing carriages—I know both the prisoners, but I do not know whether they were acquainted. On the 3rd of January Wells sent a young lad, and said he wanted to speak to me—I went, and he said, "Go, and pawn these boots for me, and ask 10*s.* for them"—I went to Mr. King's, and they would not have them—I then went to Gray's-inn-lane, and offered them to a pawnbroker there, who said, they were a nice pair, and he wanted to try one on, and then he would not give me any thing on them—I came out—the officer was at the door, and took me.

WILLIAM JOSEPH GREEN. I am a policeman. I apprehended Walters on the 4th of January, in Chapel-street, Somers-town, coming up the street with a bundle under his arm—I asked what he had got—he said he had got his things—I asked what they were—he said he had just left his place, and was going to his mother—I asked him if there was any mark on the things—he said there was not—I examined these shirts, which were in his bundle, and found they were marked "J. G. Wright" in full in ink, and the waistcoat also—I said they were marked, and I did not think they belonged to him—I took him to the station-house, and there he said the things had been given to him by a young man named Baldock, which is the nickname that Wells goes by.

Cross-examined. *Q.* You made inquiry, did you not, of his mother? *A.* Yes—I found she worked up the street at the house where he directed me to.

JOHN GASPARD WRIGHT *re-examined.* These things are mine—the coach left Piccadilly at a quarter before four o'clock—the portmanteau was locked and strapped, and it was found on the road broken open—I have lost 30*l.* worth of wearing apparel, and my dressing-case.

Wells's Defence. I was on the coach-rank in Holborn—a man came and offered some boots—I bought one pair—I went to a house to dinner, tried the boots, and they were too small—I said I would pawn them—the men said, "Stop till Neal comes, he will get more than you can"—I did so, and gave them to Neal—a *cab*-man saw me buy them, and I said if he would go down Holborn, I would show him the man, but I did not know his name.

(The prisoners received good characters.)

WELLS—GUILTY. Aged 18.
WALTERS—GUILTY. Aged 19. } Confined Six Months.

OLD COURT.—*Saturday, February 8th*, 1840.

Sixth Jury, before Mr. Recorder.

687. ANN GLAVE was indicted for stealing, on the 5th of February, 12lbs. weight of fat, value 3*s.* 6*d.*, the goods of George Lea Sabine; to which she pleaded

GUILTY.—Confined One Month.

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688. RICHARD CHAMBERS was indicted for stealing, on the 1st of

February, 2 razors, value 2*s.*, the goods of Robert Chambers; to which he pleaded

GUILTY. Aged 17.—Transported for Seven Years.

(The prosecutor, who was the prisoner's father, stated him to be incorrigible.)

689. WILLIAM JONES was indicted for stealing, on the 6th of February, 1 barometer, value 30*s.*, the goods of Thomas Staight; to which he pleaded

GUILTY.—Confined Nine Months.

690. HENRY TAYLOR and GEORGE SMITH were indicted for stealing, on the 4th of February, 5 sacks, value 1*l.*, the goods of Daniel Cloves and others; to which they pleaded

GUILTY.—Confined Six Months.

691. GEORGE RAYNER was indicted for feloniously receiving, on the 25th of January, of a certain evil-disposed person, 4 spoons, value 2*l.* 10*s.*; and 4 forks, value 1*l.* 10*s.*; the goods of John Colnett; well knowing them to have been stolen; against the Statute, &c.; to which he pleaded

GUILTY. Aged 25.—Confined Six Months.

692. JOHN NICHOLS was indicted for obtaining goods by false pretences; to which he pleaded

GUILTY. Aged 21.—Confined Twelve Months.

693. THOMAS SMITH and GEORGE STIRRUP were indicted for a robbery on James Wilkins, on the 21st of January, and taking from his person, and against his will, 1 hat, value 5*s.*; and 1 stick, value 1*s.*; his property; and immediately before and at the time of the said robbery, striking and beating him.

JAMES WILKINS. I am a grocer, and lodge at Spring-well, Wandsworth. On the 21st of January, between twelve and one o'clock at night, I was in the Almonry, Westminster—the prisoner Stirrup came up to me, and wrested my stick from my hand—he then commenced beating me—the prisoner Smith assisted him—they beat me with their fists, one before me, and one behind—I was making away as fast as I was able—I never saw them before—by the violent blows I received from them I fell on the ground on my hands—Smith took my hat and stick, and ran off with them—I called the police—a policeman came up the street, and took Smith—I did not see him taken, but I found him in custody shortly afterwards—I also lost a handkerchief and glove.

Cross-examined by MR. PHILLIPS. *Q.* What are you by business? *A.* I served the early part of my life to a grocer—I assist my friends, who are still in the business in the Wandsworth-road—I have lived there about three months—before that I lived in Dublin, in Merrion-square, in the service of Archdeacon M'Gee—he broke up his establishment, and went abroad—I have been at the grocery business again since that, to assist my friends.

Q. What kept you out so late as one o'clock at Westminster—where had you spent the evening? *A.* I had been to various places—part of the time in Charles-street, at the St. Alban's public-house—I went there early in the evening—it might be between nine and ten o'clock—before

that I had been walking about in the streets—I might have been in other houses before that—I believe I was in several, I cannot say how many—I do not know that I was in any other public-house than the St. Albans—it is very seldom I go into many—I cannot say how many I was in—I did not go into any after I left the St. Albans—I staid there about an hour—I then walked round under the Opera Colonnade several times—that is very seldom my habit, but I had not been in London for two months—I believe I had some porter at the St. Albans—no, a person treated me to some ale, I believe—I do not know his name—he lives somewhere in Pall Mall—I had known him a year or so, perhaps—I do not know what he is—I do not know whereabouts in Pall-mall he lives—I saw him as I was walking in the Opera Colonnade—I drank nothing but ale at the St. Albans—three of us took shares in a pot—I do not know who the other was—my friend treated us all—I might have drank some porter previously at another house further up in the same court—I do not know the name of the house—I was alone there—I paid one penny for a glass of porter—I cannot say whether I was in any house before that—I will not swear I was not—I cannot tell whether I drank any thing before I went to that house—I will swear I was not in half-a-dozen public-houses that night—I cannot tell how many I was in—I drank nothing to intoxicate—I do not recollect drinking any spirits—I will not swear I did not—I will swear I did not drink any gin, for I never drink gin nor brandy—I do not know whether I drank any rum—I did not pay any money for rum that night—I might have been treated to some—I was not the first person who attacked Smith that night—I swear that.

Cross-examined by Mr. Ballantine. *Q.* Have you got your hat here? *A.* Yes, it is worth about *5s.*—the stick has not been found—I have not seen the stick since the evening I lost it—I was going towards Vauxhall bridge—Stirrup came up to me in the street—he overtook me—he said a few words first of all, but I did not understand what it was—I told the Magistrate so—I believe it was taken down, but I am not certain—it was read over to me, that I swear—I cannot be mistaken about that—he commenced beating me with his fist, and I received a blow on the arm with the stick—I do not recollect whether I said that before—I said they both struck me—I believe that was taken down and read over to me, and I signed my name to it—the affair altogether took about five minutes—I was struggling with the persons during the whole of that time—I never saw either of them before to my knowledge.

Anthony Rose (*police-constable B* 56.) About one o'clock in the morning of the 21st of January I heard a cry of police—I went in the direction of the cry and stopped Smith with a stick in one hand, and a hat in the other—he was running very fast from the cry—I said, "Halloo, where did you get that hat from?"—he said, "I picked it up"—I laid hold of him—he threw the hat and stick down—I took the hat up—some prostitutes came round, and I could not find the stick—I took him to the station-house, returned, and found the prosecutor, who said a man in a fustian jacket and another had knocked him down, that one took his stick and hat, and the other man had taken refuge in a notorious brothel, which is kept by Mrs. Needham—I went there, and could not find him—I had seen both the prisoners in company together about twelve o'clock, opposite a gin shop in Tothill-street.

Cross-examined by Mr. Doane. *Q.* Did the prosecutor say he had

gone into a notorious brothel? *A.* No, he said he had got into a house—I know it to be a notorious brothel—he said that one had gone into that house, pointing to it.

Cross-examined by MR. BALLANTINE. *Q.* Did he describe Stirrup? *A.* He described him as a short stout man with a fustian jacket on—I took Stirrup in custody as he was waiting outside at the office next morning at Queen-square—the prosecutor pointed him out to me coming out of the office with me—I did not tell him he was the man I had seen with Smith the night before—the prosecutor stood by and said it was the man—I told him what I took him for—(*looking at his deposition*)—this is my hand-writing—it is the evidence I gave before the Magistrate—it was read over to me—what I stated is there—that is all I stated.

Q. Did you tell the Magistrate the prosecutor was with you when you took Stirrup in custody? *A.* I do not think it was mentioned—we had not left the office two minutes, and I was examined about twenty minutes after, respecting Stirrup—I did not state to the Magistrate that the prosecutor pointed him out to me—the question was not asked—the prosecutor made his statement first—it might have been an oversight of mine not to mention it—it is the first time I have been here—I never had any deposition made out before—I have been in the police eighteen months—I never had a prisoner for trial before—I know it is my duty to mention important evidence.

(*The witness's deposition being read, stated,* "*This morning outside this Court, I took Stirrup into custody, and told him what he was charged with; he said he knew nothing about it.*")

MR. BALLANTINE *called*

CATHARINE M'GAFFERY. I know the prisoner Stirrup—he is a smith by trade—I live at No. 1, Pear-street, Strutton-ground, Westminster, where the robbery was committed, and Stirrup lived in the next room to me—I know Woolf, he fetched Stirrup home that night as we were waiting for him to come to supper—it was the night of the 20th of January—I remember this circumstance being spoken of, which enables me to say that was the night—it was last Monday fortnight—I saw him brought home by Woolf—I was in the prisoner's room when he was brought in at half-past eleven o'clock, very drunk indeed—I do not know any man in the neighbourhood who is very like him—I remained in the room till two o'clock in the morning—he did not leave the room during all that time, on my oath—I was at Queen-square on Tuesday morning—I cannot be mistaken about the day.

COURT. *Q.* Did you go before the Magistrate as a witness? *A.* No, Stirrup was taken about nine o'clock next morning—I know it was half-past eleven o'clock that he came home, for I went for a halfpenny candle just before, and I saw the clock on Strutton-ground—that was just before Woolf fetched him—it was not quite half-past eleven o'clock then—it wanted five minutes to half-past eleven o'clock by the clock at the chandler's shop—I had about twelve yards to go—there was a clock in the chandler's parlour—I did not go into the parlour, but the door was open—the gas was alight in the shop, and there was a light in the parlour—the clock stood facing the door—I did not notice what sort of a clock it was—I cannot tell the name of the shop—I had not been there above three weeks or a month—I looked at the clock, because I and Catherine M'Bride, who lives with the prisoner, were waiting for Strirrup to come home to supper—I do not know whether Rose the officer knows me.

ANTHONY ROSE *re-examined.* I have frequently seen this witness—she is the general associate of thieves—the place swarms with them—No. 7, Pear-street, is full of thieves—this woman was not in the Almonry at the time I took Smith into custody.

GEORGE WOOLF. I am a farrier. I know Stirrup—last Monday fortnight I was with him drinking, at the Coopers' Arms, Strutton-ground—I met him at ten o'clock against the door, and remained with him about an hour and a quarter, or it might be an hour and twenty minutes—he was very much intoxicated—I took him home, undressed him, and put him to bed—Catherine M'Gaffery and Catherine M'Bride were in the room when I brought him home—it was about half-past eleven o'clock when I left him in the room.

COURT. *Q.* Were you drunk? *A.* Yes—I did not drink above six pints of beer—there were two more drunk as well as we were—I saw the clock right facing me, at the Coopers' Arms public-house, when I went in—I looked at the clock when I came out, as I had to go to Chelsea, where I live—I saw the time by the Coopers' Arms clock—I know Mr. Abbot's, the chandler's, near where I took him home—I did not go there at all—I have been there, but was not there that night—I never saw a clock there—as you go into the shop the parlour is on the left-hand side—you cannot see any thing of the parlour from the shop-door.

MR. BALLANTINE. *Q.* How large is the shop? *A.* A pretty good size—they sell coals and things there—the parlour door is always open—I have never looked into the parlour for the purpose of seeing the clock—I could look through the glass into the parlour—I cannot undertake to say there is no clock there—I never saw one, nor heard one strike.

COURT. *Q.* You were not at Stirrup's lodging before you went to the Coopers' Arms? *A.* No, I was not—I met him at ten o'clock at the Coopers' Arms—I did not go out from his lodgings at a little before half-past eleven o'clock to fetch him home.

CATHERINE M'BRIDE. I live with Stirrup. Last Monday fortnight he came home about half-past eleven o'clock—Woolf brought him home—he was very drunk—I know the time, because I went out immediately after for a candle, and it was half-past eleven o'clock.

COURT. *Q.* What shop did you go to for your candle? *A.* To Mr. Abbot's—I went by myself—I asked Mr. Abbot what time it was when I went into the shop, and he went in, to the clock in the parlour, and told me—I cannot tell whether the parlour is on the right or left-hand side of the shop—it is right facing you as you come in—I could not see the clock if the door was open—Catherine M'Gaffery did not go with me for the candle—I did not send Woolf to fetch Stirrup—he was out with him all the afternoon, I believe—only one candle was fetched, and that I got.

SARAH NEEDHAM. I live at No. 3, Great Almonry; I am the housekeeper. I have a husband—my house is two doors down the street, at the beginning of the Almonry—I saw the prosecutor on Monday night, the 20th of January, in the Almonry—I was in my own place, and heard an altercation outside the door—I went out to see what it was, the prosecutor was having an altercation with a female, and, as I stood at my own door, I saw, about two doors from me, a very short young man, in a fustian coat, and another came by, and interfered with the prosecutor—he said something concerning the piece-of-work—the young man struck the prosecutor, and the prosecutor immediately struck him on his arm with a

stick—he had the stick in his hand, and was flourishing it, and was walking backwards, instead of going forward, waving his stick in his hand to defend himself—the young man struck him several times with his fist—I do not know what became of the prosecutor's stick, for when they got to the corner of the street, it turns off, and I saw no more of it—I did not see two men attack him—Stirrup is not the young man I saw—he was a great deal shorter than him—it was between twelve and one o'clock—I went indoors, and afterwards heard police called—I went out again, and saw a young man running in the middle of the horse-road, with a hat in his hand—it was not the short man, he had a fustian coat—it was not Smith—I am positive Stirrup is innocent, for I was close to the young man who struck the prosecutor—I did not see Stirrup that night—he is not an acquaintance of mine, I have not spoken to him for months—I know him about Westminster.

ANTHONY ROSE *re-examined.* I know Abbot's shop, but never was inside it, and do not know where the parlour is—I saw the two prisoners together, about twelve o'clock—I am quite sure it was after half-past eleven o'clock—it was at the Nag's Head, Tothill-street, that is five minutes' walk, good, from the Coopers' Arms—they were standing outside the gin-shop—I cannot be mistaken about them, I knew them too well—I did not see a shorter man about in a fustian jacket—I am certain I am not mistaken in the prisoners—I mentioned it to the inspector when I took Smith—I did not take Stirrup that night, as the inspector said I had better wait till the morning, and let the prosecutor identify him—Stirrup was standing talking to Smith at twelve o'clock—there were two gas-burners in the window, and a large plate-glass—I am positive of him.

JURY. *Q.* Was he sufficiently drunk as to be obliged to be put to bed? *A.* I should say not.

SMITH—GUILTY. Aged 21.
STIRRUP—GUILTY. Aged 28. } Confined Two Years.

Before Mr. Sergeant Arabin.

694. MARY BARBER, MARY MACINTOSH, MARY ANN LEPINE, and MARY BARRETT, were indicted for a conspiracy: they were also separately indicted for uttering forged warrants for the payment of money; to each of which indictments they pleaded

GUILTY. Confined Two Years.

695. EMANUEL MYERS was indicted for feloniously receiving of a certain ill-disposed person, on the 31st of December, 2 handkerchiefs, value 10*s.*, the goods of William Cutler; well knowing the same to have been stolen; against the Statute, &c.

MR. RYLAND *conducted the Prosecution.*

WILLIAM CUTLER. I am a hosier and glover, in Piccadilly. On the 2nd of January I was shown two black silk handkerchiefs by Pocock, which I recognised as my property—I had missed them on the 31st of December—we generally sell black silk handkerchiefs singly—these were two together—I believe these have been stolen—I have no recollection of having sold them—I do not believe they were ever sold—I have a shopman—I have a slate in the shop on which he puts down all he sells—he might forget it.

THOMAS POCOCK (*police-sergeant F* 13.) On the 31st of December, between eleven and twelve o'clock, I saw the prisoner in Belton-street.

Long-acre—he went into No. 12 in that street, which is a broker's-shop, with a bag under his arm, which appeared empty—he came out in about three-quarters of an hour, with the bag still empty under his arm—he walked up the street, about one hundred yards, when a young female ran out of the house, and fetched him back—he was there about a quarter of an hour, he then came out with the bag, and something in it—I stopped him, and asked what he had in his bag—he said, "A few packs of cards"—I took him to the station-house, searched the bag, and found six packs of cards in it, and these two black silk handkerchiefs—he said, "That is my property, I bought them in the regular way of business in Cutler-street, Houndsditch."

Cross-examined. Q. I believe you have known the prisoner some time? *A.* About six years—I never knew him in trouble.

NOT GUILTY.

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696. ANN BENHAM was indicted for feloniously breaking and entering the dwelling-house of Richard Markson, on the 30th of January, at St. Andrew, Holborn, and stealing therein, 1 pair of trowsers, value 14*s.*; 1 waistcoat, value 9*s.*; 2 shirts, value 18*s.*; 2 half-crowns, 10 shillings, and 5 sixpences; the property of Richard Yates.

RICHARD YATES. I am a labourer, and lodge in Bedford-street, Liquorpond-street. The house is let out in different apartments—the landlord lives next door—it is in the parish of St. Andrew, Holborn—on the 30th of January I went out at two o'clock, and returned at seven o'clock in the evening—I had locked my room door, and tried it after me—on my return I put the key in, and found the door open—next morning I found my box broken open, and all the apparel I had was gone—this is my coat—(*looking at it*)—I have lost all the rest—I know nothing of the prisoner—the outer door is generally open in the daytime.

FREDERICK THOMPSON. I am a pawnbroker, and live in Eyre-street-hill, about two hundred yards from the prosecutor's. On the 30th of January, about six o'clock in the evening, the prisoner brought this coat to pledge, in the name of Ann Bowden, Saffron-hill.

Prisoner. I met a man who is in the habit of dealing with me—he said, "Do me the favour to pawn this coat"—I went and offered it at one place—they would not give enough—I came back to the man, and then went to this gentleman's, and brought him the 12*s.* which I got on it—he gave me a glass of ale. *Witness.* She said her son-in-law had lent her the coat to pledge, to raise the money for her rent.

GUILTY. Aged 42.—Confined Three Months.

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697. JOHN SMITH was indicted for feloniously receiving 5¾ yards of velvet, value 7*l.*, the goods of John Wild Gabriel; well knowing it to have been stolen; to which he pleaded

GUILTY. Aged 38.—Confined Eighteen Months.

(*See Third Sessions, page* 387.)

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698. ELLEN FOLEY, *alias Hill*, was indicted for stealing, on the 24th of January, 1 umbrella, value 3*s.*; 1 gown, value 1*l.* 4*s.*; the goods of Mary Ann Wills: 1 pair of boots, value 4*s.*; the goods of Susannah Ballard: and 1 pair of shoes, value 4*s.*; and 1 collar, value 2*s.*; the goods of Maria Quin, her mistress.

MARIA QUIN. I am a dressmaker—I am single, and live in Great Ormond-street. The prisoner was in my service two days—she left on an

errand, and did not return—I missed the property stated—Mary Ann Wills lives in my house, under my protection—Susannah Ballard is also in my employ, and lost articles—this is my collar, (*looking at it,*) and I know this pair of shoes to belong to Susannah Ballard.

CORNELIUS MURPHY. I am a policeman. On the 31st of January, about four o'clock in the evening, I took the prisoner into custody, and told her it was for a robbery in Great Ormond-street—she begged to be let go, and refused to give her address—I found she lived at No. 2, George-alley, Field-lane, where I found this collar and forty-four duplicates.

JOSEPH LYALL. I am servant to Mr. Mutter, of Liquorpond-street. I produce a shawl and a pair of shoes.

JOHN UNWIN. I am a pawnbroker. I have an umbrella, pawned, I believe, by the prisoner, on the 24th of January.

MARY ANN WILLS. This is my umbrella.

Prisoner's Defence. The place did not suit me, so I left.

GUILTY. Aged 33.

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699. ELLEN FOLEY was *again* indicted for stealing, on the 20th of August, 1 looking-glass and frame, value 2*l.*; 2 table-cloths, value 3*l.* 10*s.*; 1½ yard of baize, value 1*l.*; 2 sheets, value 18*s.*; 2 pillows, value 6*s.*; 12 yards of carpet, value 2*l.*; 1 set of fire-irons, value 4*s.*; 20 books, value 1*l.* 6*s.*; 1 bolster, value 7*s.*; and 1 medicine-chest, value 4*s.*; the goods of Samuel Hanbury, her master.

SAMUEL HANBURY. At the time in question I lodged at Mr. Solomon's, in Lamb's Conduit-street. The prisoner was servant of the house from about the end of July until the beginning of August, when I left—I thought her honest, and she was a good cook—she had given notice to Mrs. Solomons to quit, and I took her with me to my house—she remained with me about five weeks, and I discharged her—I had missed this property while I was in Lamb's Conduit-street.

WILLIAM KING. I am a pawnbroker, and live in High Holborn. I have four remnants of carpet, a sheet, and two table-cloths, which were pawned by the prisoner.

(*Property produced and sworn to.*)

GUILTY. Aged 33.—Transported for Fourteen Years.

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700. JOSEPH FLEMMING was indicted for stealing, on the 4th of February, 1 printed book, value 5*s.*, the goods of Thomas Mason.

ANN SUSAN MASON. I am the daughter of Thomas Mason, a bookseller, in Museum-street, Bloomsbury—he has books outside the window. On the 4th of February, about half-past four o'clock, I saw the prisoner who was at the window, take a book up in his handkerchief, and walk off—I walked after him—he turned round, saw me, and began to run—I followed him from street to street, and lost sight of him for about three minutes, while he turned the corner, at last I overtook him, and the policeman secured him—he threw the book down, and I picked it up—I am certain he is the man.

Prisoner. *Q.* In what street did you overtake me? *A.* In Museum-street—you did not give me the book—you dropped it—I was running after you, but you ran one way, and I another—there are two shelves inside our window—the window was down.

JOHN JUDGE. I am a policeman. I heard the alarm of "Stop thief!" and saw the prisoner running from a mob of people—I took him into custody—I did not see him drop the book—he said he had picked it up.

Prisoner's Defence. I was coming down Museum-street, and saw the book on the pavement—I took it up, and went along—there are four or five houses before you come to Charlotte-street—I turned down that street—this girl came after me, and said, "Stop"—I turned round, and thought she wished to claim the book, having seen me pick it up—I thought it might not be hers, and I walked on towards Russell-street, hearing a cry of "Stop thief!" I turned up Charlotte-street, and seeing her, I thought it might belong to her, and presented it to her, but she would not take it, and I threw it down—a lot of people gathered—I ran down to the right, and the policeman took me.

GUILTY. Aged 37.—Confined Three Months.

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701. CHARLES VEARS was indicted for stealing, on the 21st of January, 1 watch, value 5*l.*; 1 chain, value 3*s.*; 1 seal, value 3*s.*; and 2 watch-keys, value 1*s.*; the goods of James Meredith, from his person.

JAMES MEREDITH. I am a wheelwright. On the 21st of January, about half-past four o'clock in the afternoon, I was at a public-house at Cambridge-heath—the prisoner was there—a piper came in, and a dance was proposed—I danced also, and the prisoner was my partner—I afterwards sat down, and he went out—I did not miss my watch till the landlord called me out—I felt, and my watch was gone from my fob—the prisoner came in again, and said, "Old *chap*, how are you?"—my watch has never been found.

Cross-examined by MR. PHILLIPS. *Q.* You had all drank too much, perhaps? *A.* No—the prisoner did not appear the least intoxicated.

JOHN FAVELL. I was assisting at the public-house, and saw the prisoner and the prosecutor dancing—I saw the prisoner draw the prosecutor's watch from his pocket, and go out directly—I do not know what he did with it—he remained out from ten minutes to a quarter of an hour.

Cross-examined. *Q.* I believe the prisoner had been drinking? *A.* He had.

GEORGE GREY. I am a policeman. I took him in charge.

GUILTY. Aged 32.—Confined Four Months.

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702. WILLIAM DAVIS was indicted for stealing, on the 31st of January, 1 spring balance, value 10*s.*; the goods of Robert Johnston.

SAMUEL SINFIELD. I am a labourer, in the employ of Robert Johnston, of John-street, City-road. He had a boat at Mr. Sowter's wharf moored to a chain—I saw it safe on Thursday evening at eight o'clock—next morning I found it had drifted away, and I missed the chain, which was broken off, and two spring balances—this is one of them—(*looking at it*)—I had seen the prisoner lurking about the place that afternoon.

HENRY JACKSON RAWSON. I am a policeman. On Friday evening, about half-past nine o'clock, I was in Brick-lane, and saw the prisoner come out of a marine-store shop—on seeing me he popped something under his smock frock—I watched him—he kept looking round after me—I at last saw him go into another marine-store shop—I went and found him offering this spring balance for sale—they would not buy it, and he came out—I stopped him, and asked what it was—he said he did not know, he found it in Macclesfield-street—I said, "Well, then, it must be dirty, as it is a wet night"—he said, "No," he had wiped it off—I took him to the station-house, and found 3*s.* 8*d.* on him—he said he had shown it to the people in the tap-room of the public-house in Macclesfield-street.

Prisoner's Defence. I had been to a public-house—I was crossing Macclesfield-street, and kicked my foot against this—I took it up, took it into the house, showed it to all the people, and asked what it was—they said they did not know—I took it to the marine-store shop to sell it, but they would not give any thing for it.

GUILTY. Aged 30.—Confined Six Weeks.

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703. JOHN SMITH was indicted for stealing, on the 7th of February, 7lbs. weight of beef, value 2*s.*; and 1 leg of mutton, value 4*s.* 6*d.*; the goods of Robert Barker, his master.

MARGARET STANLEY. Yesterday morning, the 7th of February, I was at the shop of Robert Barker—I bought a leg of mutton and a piece of brisket of beef—I do not know what they weighed—I bought them of the prisoner, who was serving in the shop—I asked what they came to, he said 3*s.*, and I paid him—he said nothing about weighing them—I said, "I want 3*s.* worth of meat," and he gave me the mutton and beef—the officer afterwards met me, and stopped me—I produced the beef from under my cloak, and then the mutton—there were two women inside the shop, and several outside.

Cross-examined by MR. PHILLIPS. *Q.* What is your husband? *A.* A labouring man—he has not been in employ since Christmas—I go out to work—I have five small children—I was told I should get a bargain, and I went—I told the policeman I had a bit of beef, and he took it out of my hand—I gave him the mutton—I said at first I had only a bit of beef.

Q. Why not tell him you had it, unless you stole it? *A.* I did not steal it—I had no reason for not telling him about the mutton—I had them in my apron—I was in a flurry—I never went by the name of Dulan—my husband is at home—he lives at No. 16, Hare-court, Marylebone—I have been married to him nine years—his name is Stanley.

GEORGE REEVEL. I am a policeman. Yesterday morning, about twenty minutes after six o'clock, I was in Dorset-street, Marylebone, and saw Stanley receive a piece of beef from the prisoner—she closed her apron, pulled her cloak round it, and walked off very fast—I followed, stopped her, and asked what she had—she said, "A piece of beef"—I asked where she bought it—she said from Mr. Barker, and she gave 1*s.* for it—I said she must go with me to the station-house—she then pulled a leg of mutton from under her cloak, and said she gave 2*s.* for that.

ROBERT BARKER. I am a butcher. The prisoner was nearly twelve months in my service—the policeman brought the meat to me which he took from the woman—it was Bury mutton—that leg is worth 4*s.* 6*d.*, and the beef is worth 3*s.*—I had no conversation with the prisoner about it—I allowed him to sell to customers, and receive money, which he should give to me.

Cross-examined. *Q.* Does he not sometimes put it into the till? *A.* Never without my knowledge—I was ill in bed that morning—I never heard any thing against the prisoner—he did not account to me for the meat, nor tell me what he sold it for—I found 1*s.* 6*d.* in the desk, which he said he took for the beef—I would take him into my employ again.

NOT GUILTY.

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704. THOMAS HARDING was indicted for stealing, on the 3rd of February, 2 rings, value 3*s.*, the goods of John Bailey.

JOHN BAILEY. I keep a coffee-house, in New Compton-street. I had employed the prisoner for two years as a jobbing bricklayer and painter—he was there on Saturday, and Monday the 3rd of February—on Thursday evening I missed a pair of boots from my kitchen—I told him I suspected him, and not to come near my place any more; but on Thursday he came and had some coffee, and offered two rings for sale to a customer in the shop, but I did not know they were mine—I heard him tell the man he was going to sell them—he went out directly, and then the man gave me information—I went up stairs, and missed two rings and four or five shirts, and several other things—one drawer was nearly cleared—I waited outside my house, expecting him to return, which he did in about two hours—I told him I had every reason to suspect he had some of my property—he asked, "What?"—I said, "Two rings"—he said, "I know nothing about two rings; I never had any thing of that kind"—I said, "Yes, you offered them for sale in my shop"—he denied it—I then confronted the witness with him, and he said, "Oh, you mean the rings I showed you; I found them in the drain"—I asked him what he had done with them—he took me to the shop where he had sold them as old gold—these are them—(*looking at them*)—they had been locked up in my first-floor bed-room.

SAMUEL HOWE. I am a jeweller. I bought these two rings of the prisoner as old gold—he said they were his property.

(*The prisoner in a long address, complained of the prosecutor being a very mercenary man, and stated that he found the rings in the drain of the house which he was repairing; that the prosecutor had been twice convicted of keeping a bad house, and wanted him (the prisoner) to perjure himself on his behalf; and he believed the rings were placed there on purpose to entrap him.*)

NOT GUILTY.

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705. CHARLES WILLIAMS was indicted for stealing, on the 6th of February, 1 pair of trowsers, value 3*s.*, the goods of Daniel Heath.

CAROLINE HEATH. I am the wife of Daniel Heath, of Goswell-road, and keep a broker's shop. On the 6th of February, about six o'clock in the evening, I saw the prisoner come to the door, snatch the trowsers down, and run off—I ran after him—my daughter followed him—he threw the trowsers away—these are them—(*looking at them*)—he was secured.

MARGARET HEATH. I was at home with my mother—I saw the prisoner take the trowsers and throw them down.

GUILTY.* Aged 19.—Transported for Seven Years.

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706. WILLIAM ELDRIDGE was indicted for feloniously breaking and entering the dwelling-house of Charles Smith and another, on the 30th of January, and stealing therein 1 piece of handkerchiefs, value 1*l.* 15*s*, and 9 other handkerchiefs, value 2*l.* 5*s.*, their property.

GEORGE JOHN RESTIEAUX. I am a policeman. On Thursday, the 30th of January, about five minutes to six o'clock, I saw the prisoner and another, twenty or thirty yards from the prosecutor—they turned up Southampton-street, and spoke to a third—the one that was with him pulled something from under his coat, and gave to the prisoner, who put it into his cap—I made towards them, and all three ran away—I pursued the prisoner—he ran down Silver-street—I ran and got in front of him, and he said, "Which is the way to Charing-cross?"—I said, "What

have you got here?" taking hold of his cap—he stooped underneath my arm and ran away—Etheridge stopped him—we took him to the station-house, and found this piece of handkerchiefs between his trowsers and shirt—Etheridge found another piece—the prisoner said the other man had thrown them down, and he picked them up—and while he was being searched he said he took them.

RICHARD ETHERIDGE. I am a policeman. I was in company with Restieaux—I saw no more than he has stated—I found another piece of handkerchief on the prisoner, concealed between his trowsers and his waistcoat.

WALTER VALENTINE YEMAN. I am in the employ of Charles Smith and another—these pieces of handkerchief are their property—they were safe in the window half an hour before the officer gave us information that they were at the station-house—I found the window broken, and the goods gone—we lost three pieces.

(*The prisoner put in a written defence, stating that there was no proof of breaking and entering, and that he was hired to carry the property by two men.*)

GUILTY of stealing only. Aged 17.—Transported for Seven Years.

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707. CHARLES DAVIS was indicted for stealing, on the 2nd of February, 20lbs. weight of lead, value 6*s*., the goods of Thomas Peckham Grout and another, and fixed to a building.

GEORGE JOHN RESTIEAUX. I am a policeman. On the 2nd of February, between six and seven o'clock, I saw the prisoner in Broad-street, St. Giles's, with a bundle—I said, "What have you got here?"—he said, "Only some things which my father gave me last night"—I said, "What does it consist of?"—he said "Lead"—he threw it down, and tried to get away—I took him into custody, took him to the station-house, and found this knife in his pocket—it appears to have been used to cut lead—Etheridge took up the lead—I made inquiry, and found it came from the roof of Grout's lodging-house, at the corner of Lawrence-lane, Church-street, St. Giles's—the whole of the roof had been stripped—Etheridge compared the lead.

RICHARD ETHERIDGE. I am a policeman. I was in company with Restieaux when he took the prisoner—I afterwards went with Grout and fitted the lead to the roof of the house, and it tallied in all respects—the prisoner's clothes and shoes were all covered with white from the brick-work.

THOMAS PECKHAM GROUT. I and my father keep this house. I saw the lead compared, and it fitted in every respect—the prisoner had lodged in the house thirteen or fourteen days—I know nothing further of him.

Prisoner's Defence. A young man asked me to carry it as far as Holborn for him; the policeman took me, but did not offer to stop to take the other.

GUILTY.** Aged 21.—Transported for Seven Years.

NEW COURT.—*Saturday, February 8th*, 1840.

Fourth Jury, before Mr. Common Sergeant.

708. JOHN GIBBS was indicted for stealing, on the 28th of January,

2 printed books, value 5*s*., the goods of William Withers, his master; to which he pleaded

GUILTY. Aged 28.—Confined Three Months.

709. JOSEPH CHICKELDAY was indicted for stealing, on the 2nd of February, 2 spoons, value 1*l*. 5*s*., the goods of Richard Horn, his master; to which he pleaded

GUILTY. Aged 14.—Confined Three Months.

710. WILLIAM JORDAN was indicted for stealing, on the 14th of January, 2 boxes, value 6*d*.; 1¾lb. weight of cigars, value 1*l*. 1*s*.; the goods of Elizabeth Soper: and that he had been before convicted of felony.

ELIZABETH SOPER. I am a widow, and keep a shop in Princes-street, Ratcliff-highway. On the 14th of January I saw the prisoner come to my shop window—he looked in—he staid about a minute and a half, then went away, and came again—I afterwards saw him in custody—I missed two boxes of cigars from the counter—these are them—(*examining them*) and the labels that were on them.

CORNELIUS FOOT (*police-constable H* 98.) I was in Pennington-street on the 14th of January, about eight o'clock in the evening—the prisoner and two other boys passed me—after they had passed I found an empty cigar box with a label on it, and in about five minutes the prisoner came running along with this other box of cigars under his arm—I took him with it.

Cross-examined by MR. PAYNE. *Q*. You saw them running, and then in five minutes after you saw the prisoner again? *A*. Yes—they turned round a street, and came round again in the same direction—this was about two hundred yards from the prosecutrix's shop—the prisoner said a man in Old Gravel-lane gave them to him to carry, and was to give him 2*d*.

WILLIAM STOTTER (*police-constable M* 136.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*) —the prisoner is the person.

GUILTY. Aged 17.—Transported for Seven Years.

711. FREDERICK RUDDY was indicted for bigamy.

WILLIAM PEPLOE. I am a coach-painter, and live in Caroline-street, Lambeth. On the 2nd of August, 1830, I was present at the marriage of the prisoner and Ann Shrivse, at Bloomsbury church—I went there to give her away—I saw them married—she is now alive—I saw her on the 22nd of January.

Cross-examined by MR. PAYNE. *Q*. Did you know her before she was married? *A*. Yes, by seeing her at her sister's—I cannot say how long they lived together—it might be six or seven months—I do not know of her marrying Mr. Walter Williamson, in 1836.

MARY ANN MARGARET CLELAND. I live in New-street, Union-street, Lambeth-walk. I have known the prisoner about ten months—I was married to him at Milton church, near Gravesend, on the 14th of October last—he had represented himself to me as a single man—I had no property.

Cross-examined. *Q*. I believe you and the prisoner lived in the same service, did you not? *A*. Yes.

ROBERT NICHOLS (*police-constable G* 142.) I apprehended the prisoner in Holborn, on the 8th of January.

GUILTY. Aged 31.—Confined Three Months.

712. WILLIAM GAZELEY was indicted for stealing, on the 10th of January, 1 spoon, value 1*l.* 1*s.*, the goods of William Smith, his master.

WILLIAM SMITH. I live at Crouch-end, Hornsey—the prisoner was in my service. On the 10th of January I missed a large silver-spoon—it had an old English G on it—it has not been found.

HENRY POWELL. I am in the employ of Mr. Ives, a baker, at Crouch-end. On Monday, the 20th of January, the prisoner came about four o'clock in the afternoon, and asked me to go with him to sell a spoon—I refused—he came again on the Wednesday, and said, "Where we sell the bowl we must not sell the G; we must take the G where it will get melted down directly"—I refused to go, and on the Thursday he came at night, and said that all through that spoon he had got the *sack*—I did not see the G on the spoon, I only saw the bowl of it.

Cross-examined by MR. CLARKSON. *Q.* The prisoner seems to have made you a very confidential friend? *A.* He entrusted me with this secret—I was not much acquainted with him—I never saw him till he came to Mr. Smith's—I have been with Mr. Ives, on and off, a long while—my father is a gardener to Mr. Dickinson—I had my victuals at Mr. Ives's, and 3*s.* a week—I did not take the prisoner to my mistress to buy the bowl of the spoon—she did not buy it—he showed it to her, and she weighed it—I do not know what she weighed it for—I have never been before a Magistrate—I did not tell my mistress the first time I saw the prisoner—Mr. Smith's house is not a great way from my mistress—my master serves Mr. Smith with bread.

CLARA IVES. I am the wife of George Ives, a baker. The prisoner came to our shop on the 22nd of January, with part of a spoon, and wished to have it weighed—he said he thought it would fetch 2*s.*, and that it would serve for drink for him and the gardener—he came again next night, and wished me not to say any thing about it.

Cross-examined. *Q.* Who was in the shop? *A.* My husband passed through, but he did not stay in the shop—I thought it rather odd, but the prisoner told me he found it in the garden, and it was very much bent—I knew Mr. Grant, Mr. Smith's predecessor—the part that I saw was the bowl of a spoon—I spoke of this directly I went in-doors—it must have been after the prisoner was taken that I named it. NOT GUILTY.

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713. EDWARD REEVES was indicted for stealing, on the 7th of January, 1 watch-maker's tool, called a screw-head tool, value 7*s.* 6*d.*; and 1 hand-vice, value 3*s.*; the goods of George Saunders, his master.

GEORGE SAUNDERS. I live in Goswell-terrace, and am a watch-finisher. On Monday, the 6th of January, I engaged the prisoner as a journeyman, and he worked for me on the Monday and Tuesday—on the Tuesday night he left, and on the Wednesday morning I missed this property—he ought to have come to work on the Wednesday morning, but he did not—I met him on the Thursday week, and followed him some distance—I then asked him about my tools—he told me if I would not give him in charge he would would get the screw-head tool for me—I gave him into charge, and the policeman found this screw-head tool in St. John-street, where the prisoner said it was.

JOHN WALLS. I live with Mr. Wood, a pawnbroker in St. John-street. I took in this tool of the prisoner on the 7th of January, for 2*s.*

Prisoner's Defence. I intended to return the tools again.

GUILTY. Aged 25.—Confined Six Months.

(There was another indictment against the prisoner.)

714. JOHN LE SAGE was indicted for stealing, on the 3rd of February, 1 waistcoat, value 6*s*., the goods of John Kelday.

HENRY EMBLEM. I am shopman to John Kelday, of Durham-place East, Hackney-road, a pawnbroker. On the 3rd of February, between twelve and one o'clock, I saw the prisoner and another person standing by the side of the house, looking in at the window—I then saw the prisoner run by the window—I pursued him, and he threw down this waistcoat which had been hanging inside our door—he ran up a passage, and in getting over a fence, it gave way, and I came up to him—I accused him of stealing the waistcoat—he said he had not done it—I am positive he is the person who had it—it was picked up by a boy and brought back—it had the ticket on it.

ROBERT FROST SMITH (*police-constable K* 277.) I received the waistcoat as I was on the way to the station-house with the prisoner.

Prisoner's Defence. I saw a mob, and the gentleman collared me.

GUILTY. Aged 19.—Confined Three Months.

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715. ELEANOR COOK was indicted for stealing, on the 28th of January, 1 handkerchief, value 3*s*.; 1 printed book, value 1*s*.; 1 jar, value 4*d*.; and 3 pints of pickled onions, value 1*s*. 2*d*.; the goods of Henry Peacock, her master.

HENRY PEACOCK. I live in Davies-street, Marylebone, and am a licensed carriage driver. The prisoner lived in the same house with us, and was employed as our charwoman—on the 28th of January, I missed a handkerchief, a book, and a jar of pickled onions—these are them.

Prisoner. I acknowledge pawning the book, but the handkerchief I know nothing of.

WILLIAM JONES. I am a pawnbroker. I produce a prayer-book pawned by the prisoner for 9*d*. on the 29th of January.

EDWIN SUFFIELD. I am a pawnbroker. I have a handkerchief which I believe the prisoner pawned on the 28th of January, but will not swear to her.

(The prisoner pleaded poverty.)

GUILTY. Aged 29.—Confined One Month.

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716. WILLIAM MARSHALL was indicted for stealing, on the 22nd of January, 2 printed books, value 10*s*., the goods of Lucy Stanynought; to which he pleaded

GUILTY.—Confined Six Days.

(Mr. Clark, a cork manufacturer, gave the prisoner a good character, and promised to employ him.

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717. GEORGE TILT was indicted for stealing, on the 26th of January, 15lbs weight of mutton, value 9*s*., the goods of James Theobald; and that he had been before convicted of felony.

SAMUEL SUTTON. I live in Robinson's-place, Kingsland, and am a carpenter. I was in my brother-in-law's shop, Mr. James Theobald, on the 26th of January, and hung up a hind quarter of mutton, I saw it safe about eleven o'clock, I afterwards missed it—I saw it on the Monday morning, about nine or ten o'clock—there were marks on it by which I knew it.

Prisoner. He said he could not swear to it; he said he thought it was his brother-in-law's. *Witness.* To the best of my belief, it was the same.

and I am positive it was—I said it had been badly chopped down, all the bone was on one side, and the one without bone was the one that was lost.

JESSE PAKES (*police-constable N* 16.) I was on duty in Hertford-road, on Sunday-evening, the 26th of January, and met the prisoner carrying something in his arms—I asked him what he had got—he said, "You know me very well"—I said I did not—he said he had got a hind quarter of mutton, which he got from the Green Man public-house.

Prisoner. I said I got it from the Elephant and Castle public-house; he said, "From Mr. Theobald's," and took me back to Mr. Theobald's; Mrs. Theobald came to the door, and said she knew nothing of it; Mr. Theobald came over after he came home, and said he could not swear to it—I was to have met a young man at a house with it.

HENRY COLEE. I produce the certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—he is the person—he was ordered to be transported for life.

GUILTY. Aged 24.—Transported for Fourteen Years.

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718. ELIZABETH LONG was indicted for stealing, on the 29th of January, 4 shillings, 1 sixpence, and 2 pence, the monies of George Wilkins, from his person.

GEORGE WILKINS. I live in New-street, Shadwell, and am a seaman. About twenty minutes to twelve o'clock, on the night of the 29th of January, I was going home from Leah-street, and met the prisoner, she put her hands round me, and called me her dear—my hands were in my pockets, I took them out to *shove* her off, and she put her hand in my pocket, and took out 4*s.* 8*d.*—the policeman came up, and took her, and in going along by the church she dropped the money—I saw one shilling roll along—I had had some money in one pocket, and some in the other.

Prisoner. I met him, the policeman was coming along, and I said to a young female, who was with me, "Come on," and I dropped a shilling out of my hand.

WILLIAM PARAMALL (*police-constable K* 51.) I was going down the street, and heard the prisoner say, "Mary, come on," and she ran up the lane—I heard the prosecutor say she had robbed him of 4*s.* 8*d.*—I caught the prisoner just by the church—I asked what she had been doing to the sailor, she said, "Nothing"—I took her arm, and in going across the road she dropped one shilling, and I found 8*d.* more on her—the prosecutor was sober.

Prisoner. I said I had 1*s.* 8*d.*, and he could go to the Paviours' Arms public-house, where I had changed one shilling not ten minutes before—the prosecutor was in liquor.

BENJAMIN HARRIS (*police-sergeant K* 19.) I was at the station-house when the prisoner was brought in—the prosecutor was sober—he said he had been robbed, and he would transport her if he could.

GUILTY. Aged 22.—Confined Three Months.

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719. JAMES BRUCE was indicted for stealing, on the 1st of February, 1¼ yards of a certain mixture of woollen and silk, called waistcoating, value 16*s.*, the goods of Samuel Botson Aldred, and another.

WILLIAM HEARD. I am assistant to Samuel Botson Aldred, and another, woollen-drapers, on Holborn-bridge. The prisoner deals with us—

I have known him about three months—on the 1st of February he came for a yard of twist, and when he had left I missed this piece of waistcoating—(*examining it*)—it is my employer's—I followed the prisoner, and found it in his possession—on his return, as he passed our shop, I halted at the door, and he threw it in at the door-way—I gave him in charge.

ROBERT JOHN WEIR (*City police-constable, No.* 194.) I took the prisoner, and have the property.

GUILTY.* Aged 21.—Confined Six Months.

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720. JOHN HARVEY was indicted for stealing, on the 3rd of February, 23lbs. weight of bacon, value 13*s.*, the goods of William Brandle.

WILLIAM BRANDLE. I keep a shop in Long-alley. On the 3rd of February, about a quarter-past eleven o'clock, I was in my back-room—I heard a noise, and ran into the shop—I missed this bacon, which I had seen a quarter of an hour before—I ran out to Norton Falgate—I saw the policeman, and he found the prisoner with it.

BENJAMIN ROBERTS (*police-constable G* 223.) I met the prisoner with this bacon under his coat.

Prisoner's Defence. I saw the bacon concealed in the corner of a street—I took it up.

GUILTY. Aged 29.—Confined Three Months.

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721. ANN HAYES was indicted for stealing, on the 2nd of February, 1 crown-piece, the money of Angus M'Kay, from his person.

ANGUS M'KAY. I am mate of the brig *Walker*, which is in the Regent's Canal. On the 2nd of February, about twelve o'clock at night, I was going to my ship—there was a *row*—I stopped to see it—the prisoner came alongside of me, and asked what was the *row*—I said I did not know—some more persons came up, and the prisoner *shoved* her hand into my pocket, and ran off to a door, where there were other women—I caught the prisoner, but the other women got in, and the door was shut—I had had one five-shilling-piece in my pocket, and that was gone.

Prisoner. We walked down the Butcher-row, and we stood talking—he said he would not come with me—I went up towards School-house-lane again, and he came and said I had robbed him of a five-shilling-piece.

Witness. I did not walk with her.

JAMES CRAWFORD (*police-constable K* 253.) I was on duty—I heard the prosecutor say, "I have got you now; you had no business with your hand in my pocket; I will give you in charge"—I took her—she was searched by a female, but no five-shilling-piece was found on her.

NOT GUILTY.

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722. MARY ANN KEMP was indicted for stealing, on the 25th of January, 2 counterpanes, value 16*s.*; 2 sheets, value 7*s.*; 1 blanket, value 6*s.*; 2 pillows, value 6*s.*; 2 pillow-cases, value 1*s.*; and 2 night-caps, value 1*s.*; the goods of John Gibbons.

MARY GIBBONS. I am the wife of John Gibbons, an engineer. The prisoner came to see me on the morning of the 25th of January—she told me she was going to buy a bonnet and some boots, and other things—she stopped about a quarter of an hour, and asked me if I would go to see her on the Monday—I said I should be out—she was then going down—I was going down with her—she said, "Don't come down to hinder yourself"—I went about seven o'clock to my husband—when I got home my

door was open, and these articles gone—(*examining them*)—these are them.

LOUISA DAVIS. I lodge in the same house with the prosecutrix. I went down on Saturday night, the 25th of January, and saw the prisoner in the passage—I went up stairs, and then I saw her there again—I went out, and when I came back she was gone.

Prisoner. Q. Can you swear I am the person? You said you could not see my face. *A.* You are the person.

WILLIAM PERRY. I am in the employ of a pawnbroker, in Charlton-street, Somers-town. I produce all this property—it was pawned by the prisoner on the 25th of January.

Prisoner's Defence. I went home at half-past six o'clock—I remained there a few minutes—I went out again and met my husband, and was with him from a quarter before eight till half-past ten o'clock, and the person says the robbery was committed between eight and nine o'clock—why my husband has kept away I do not know—these people have been trying to separate us these three months—the pawnbroker falsely swears—it was not me.

MARY GIBBONS *re-examined.* I have no animosity against her—her husband is an engineer, and works at the same shop as mine—he has a guinea a week, I believe.

GUILTY. Aged 23.—Confined Six Months.

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723. JAMES THOMAS SHAW was indicted for stealing, on the 1st of February, 12lbs. weight of beef, value 6*s.*, the goods of John Cracklen.

JOHN CRACKLEN. I live in Charles-street, Westminster, and am a butcher. On Saturday evening, the 1st of February, between eight and nine o'clock, I missed a piece of aitch-bone of beef from the front of the shop—in about a quarter of an hour the policeman came, and found it at the station-house.

SAMUEL JONES (*police-constable A* 58.) I was on duty in Queen-street, about two hundred yards from the prosecutor's—the prisoner passed me with this beef—I asked him where he had got it—he said, "At a shop up above"—I said he had better go and show me where—he went a few paces, and then threw it down and ran off about a hundred yards—I took him, and had a great deal of trouble to get him to the station-house.

GUILTY. Aged 27.—Confined Three Months.

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724. JOHN WILLIAMS was indicted for stealing, on the 4th of February, 4 pewter pots, value 7*s.*, the goods of Charlotte Hemery.

GEORGE GURNEY. I am waiter to Mrs. Charlotte Hemery, who keeps the Mason's Arms in Maddox-street. On the 4th of February the prisoner came to the house, and had a pint of porter, which he paid for—he was in the tap-room a quarter of an hour, and then went into the back yard—I missed him for about twenty minutes—I had counted the pots in the yard before he went, and when he came in I missed four—I went out—he saw me, and began to run—I ran and called, "Stop thief!"—he was brought back, and one pot was found in his hat, and at the station-house these three others were found on him—they are my mistress's.

ISAAC BUTTERFIELD (*police-constable C* 175.) I took the prisoner, and found these pots on him, broken as they are now.

GUILTY. Aged 23.—Confined Six Months.

725. THOMAS JONES was indicted for stealing, on the 4th of February, 1 pair of boots, value 4*s.* 6*d.*, the goods of Mary Mansfield.

MARY MANSFIELD. I am a widow, and keep a shop in Bosher's-court, Tottenham-court-road. On the 4th of February I saw some persons at my door—I went out, and missed these boots—I found the prisoner about twenty yards off with them in his possession—I caught hold of him, and said, "I have caught you now"—he begged me to let him go, and said he was a very poor man, and he seemed to be so—these are my boots—they had been on the step of the door, but I had not put them out—some persons had been stopping at the door, but I do not know that he was one.

THOMAS MANSFIELD. I am a relation of the prosecutrix. I went out, and saw the prisoner with the boots in his hand—I took him—when he had got about twenty yards round the corner.

Prisoner. I was coming past, and took up the shoes to look at—the prosecutrix came and dragged me in, said she had lost several pairs, and I was the thief—I was not two yards from the door—I was tried here in November, and had two months for stealing some bread—I would rather be transported—I can get nothing to do any where.

GUILTY.* Aged 40.—Transported for Seven Years.

726. MARY SLATER was indicted for stealing, on the 5th of February, 1 spoon, value 10*s.*, the goods of George Bew Tipping.

GEORGE BEW TIPPING. I am the proprietor of the Old Slaughter coffee-house in St. Martin's-lane. The prisoner was in the service of my daughter, who lives next door to me, and she was in the habit of coming to my house—I missed a silver spoon on the 5th of February—this is it.

WILLIAM GALILEE SAVILLE. I am assistant to Mr. Wells, a pawnbroker. About half-past nine o'clock, on the 5th of February, the prisoner offered this spoon—she refused to say whose it was—she then said it was her own, and afterwards that it was her mistress's—the officer was sent for, and took her.

GUILTY. Aged 20.—*Recommended to mercy.*—Confined Three Months.

727. SARAH HUMPHREYS was indicted for stealing, on the 1st of February, 29 yards of lace, value 1*l.* 8*s.*, the goods of George Frederick Butcher.

RICHARD BADCOCK. I am shopman to George Frederick Butcher, a linen-draper at Hoxton. On the 1st of February, about three o'clock, the prisoner and another female came to the shop, and asked for some lining—I showed them some—they bought two or three things, and asked to look at some lace—I showed them some in a box, and sold them two yards and three quarters—I took the box back, and one of the young men told me something—I then went and asked the prisoner if she meant to keep the lace which she had under her shawl—she said, "What lace?"—the other female rose up—the prisoner rose at the same time, and I saw two pieces of lace on the floor—another fell to the ground between the prisoner and the counter—I sent for the policeman, and gave her into custody—this is my master's lace (*looking at it.*)

Cross-examined by MR. PAYNE. *Q.* Which side of the counter were you? *A.* On the opposite side to the prisoner—I looked over the counter and saw the lace—they were sitting together—the other female rose up before the prisoner.

SAMSON BURRELL. I was serving at the opposite counter, and saw two

pieces of lace on the floor—I saw the prisoner in the act of drawing up the lace with her foot, till her hand met it—she then took it, and put it under her shawl—I told Badcock.

Cross-examined. Q. Was her back towards you? A. Her side was—I saw two pieces drawn up—I did not see how they got on the floor—she drew them up with her left foot against the counter about twelve or thirteen inches, and then her hand met them—she and the other person were close together.

MARTHA THOMAS. I was in the shop—I observed the same as Burrell—I told him of it.

Cross-examined. Q. What did you see? A. I saw two cards of lace lying against the counter, edge-ways—I pointed it out to the shopman—I saw the prisoner draw the lace up with her foot, and then she reached with her left hand, and took it—I was on the opposite side—there was nothing between me and her—my husband is a shoemaker, and lives in Mark-street, Paul-street—I did not see any lace fall—when I had seen this I left the shop, and returned again—the prisoner said to me, "Here is a sixpence for you, it may be of service to you; you had better leave the shop;" but Miss Butcher detained me.

(The prisoner received a good character.)

GUILTY. Aged 21.—Confined Six Months.

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728. EDWARD M'CABE was indicted for stealing, on the 29th of January, 1 pewter-pot, value 1*s.*, the goods of John Dixon; and that he had been before convicted of felony.

JAMES FLANAGAN (*police-sergeant N* 7.) I was at Whitehall on the night of the 29th of January, between five and six o'clock—I saw the prisoner take a pint-pot off the railings of the Board of Trade office—I followed him, and told him I wanted him—he ran from me to Charles-street—I caught him—we had a scuffle—he threw down this pot, got from me, and ran on till another officer took him.

JAMES NEAVE. This pot belongs to Mr. John Dixon, who keeps the Star and Garter public-house, at Westminster.

Prisoner. I came past—this pot was on the step—I took it, and the officer came and made a sudden *grab* at me—I ran, but I did not mean to steal it—I thought they would give me a pint of beer for taking it—I ran to a policeman for protection.

JAMES FLANAGAN *re-examined.* He went in the direction of the publican's, but he passed the house—I caught him at the corner of Charles-street, which is two public-houses past Mr. Dixon's.

GEORGE CARTER (*police-constable B* 151.) I produce a certificate of the prisoner's former conviction, from Mr. Clark's office—(*read*)—the prisoner is the person.

Prisoner. Give me one more chance—I have a poor old father dying—I was very hungry, and had nothing to eat for twenty-four hours.

GUILTY. Aged 19.—Confined Six Months.

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729. JAMES RADBURN was indicted for stealing, on the 3rd of February, 1 jacket, value 2*s.* 6*d.*; and 1 handkerchief, value 5*s.*; the goods of William Durant, in a vessel in a port of entry and discharge.

WILLIAM DURANT. I am a seaman aboard the *Larkis*, which was in the West India Docks. On the 3rd of February I took my jacket off in hawling the ship into the dock; and laid it on the bits—this is it, and these two handkerchiefs were in it—(*examining them.*)

Prisoner. This witness said that the handkerchiefs did not belong to him, but the jacket did. *Witness.* They all belong to me.

JAMES M'GILL. I am constable of the West India Docks. I stopped the prisoner, with a bag of old clothes, which he said were given him by a seaman on board the *Larkin*—I took out this jacket and handkerchiefs, which the prosecutor owned—the prisoner had had a bag of clothes given him.

Prisoner. A seaman gave them to me with the rest of the things. *Witness.* He said he picked it up with the rest of the things.

GUILTY. Aged 21.—Confined Six Months.

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730. JAMES JACKSON and LETITIA JACKSON were indicted for stealing, on the 2nd of January, 1 sheet, value 4*s.*; 1 counterpane, value 1*s.* 6*d.*; 1 quilt, value 1*s.* 6*d.*; and 2 pillow-case, value 1*s.*; the goods of Jemima London.

JEMIMA LONDON. I am a widow, living in Golden-lane. The prisoners took the lodgings of me, from some circumstances I thought it necessary to examine them, and the articles stated were missing—the prisoners had been there about three weeks—these are the things—(*examining them*)—they are mine—I did not authorise the prisoners to pawn them.

JOHN ORBELL. I am a pawnbroker. I produce a sheet, pawned by the female prisoner on the 3rd of January, and a counterpane, pawned by a woman, on the 17th of January, but I do not know who.

Letitia Jackson. I did not pledge the articles, I sent them. *Witness.* I may be mistaken.

BENJAMIN SHRADER. I am in the employ of Mr. Sowerby, a pawnbroker. I took in this quilt of a female, whom I believe to be the prisoner, but cannot swear it.

BENJAMIN BAKER (*police-constable G* 43.) I found the duplicates of these things in the lodgings, and took the prisoners—the man said they had pledged the things, but intended to get them out as soon as they got some money.

JAMES JACKSON—GUILTY. Aged 25. } Transported for Seven
LETITIA JACKSON—GUILTY. Aged 27. } Years.

(There was another indictment against the prisoners.)

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731. ANN GUTTERIDGE was indicted for stealing, on the 27th of January, 1 petticoat, value 2*s.*, the goods of Thomas Smith and another.

WILLIAM JONES. I live with Thomas Smith and another, pawnbrokers, in South-street, Marylebone. On the 27th of January, at half-past five o'clock, the prisoner and another person came to pawn some calico and flannel—after I had received them I thought I missed something from where they were standing—I went round the counter, and asked the prisoner's friend if there was not something hanging up—she made no answer—the prisoner was going out—I stopped her—she had the petticoat under her cloak—I called a person, and she ran away—she was on the step of the door when I took it.

Cross-examined by MR. PAYNE. *Q.* Did she run? *A.* She went away—I had not seen her before—I do not know whether she ran or walked—I did not pick the petticoat off the floor—she was taken the next morning—she did not say any thing when I took the petticoat from her—her friend and a boy were in the shop.

WILLIAM TOOLE (*police-sergeant D* 5.) At a quarter to ten o'clock the next morning I went after the prisoner, and told her what she was accused

of—she said she was innocent—I took her to Mr. Smith's, and the witness gave her in custody—on the way to the station-house she said the other woman took it, and put it under her cloak.

Cross-examined. Q. What did you say to her? A. She began the conversation—she said, "I am innocent; Mrs. Hawkins took it, and put it under my cloak"—I went to the prisoner's house, and sent for her—she came, and went to the shop.

(The prisoner received a good character.)

GUILTY. Aged 42.—Confined Three Months.

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732. WILLIAM EVANS was indicted for stealing, on the 5th of February, 1 pewter-pot, value 1*s.*, the goods of James Young.

JAMES YOUNG. I keep the Calthorpe Arms public-house, in Gray's-inn-road. The prisoner was at our house on the 5th of February—my boy gave me information, and I sent for a policeman—we waited till the prisoner got outside the door, and I saw the policeman take the pot from his pocket—it is mine.

Cross-examined by MR. PHILLIPS. Q. Was his master with him? A. There were two persons with him—I have inquired about his character, and it was satisfactory—he is married, and has five or six children—he was not quite sober.

(The prisoner received a good character.)

GUILTY. Aged 44.—*Recommended to mercy by the Jury.*—Confined Six Days.

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733. MARY ANN CARTER and MARGARET WILSON were indicted for stealing, on the 1st of February, 1 watch, value 2*l.*; 1 watch-ribbon, value 1*d.*; 1 seal, value 1*s.*; 1 watch-key, value 1*d.*; 1 waistcoat, value 12*s.*; and 10 shillings; the property of Thomas Lannan.

THOMAS LANNAN. I am a ship-carpenter, and lodge in High-street, Shadwell. On the 1st of February, between eight and ten o'clock, I was in Poplar, and met Carter, I went home and went to bed with her in her house—I awoke between twelve and one o'clock, and missed the things stated from my trowsers' pocket, I seized her, and said I would take her to the station-house if she did not give me my things—I had put my trowsers on a chair—I saw no one but Carter when I awoke—I got a policeman, and then Wilson was in the house—she detained me at the door four or five minutes—I demanded the door to be opened according to the constable's orders—this is my watch—(*looking at it*)—I had come from sea that day about four o'clock, and landed at the West India Docks—then went up to Poplar, and went to a public-house, and from there I went to the house where I met the prisoner—that was between eight and ten o'clock—I was not sober—there were several women in the public-house, but I do not know who.

Cross-examined by MR. BALLANTINE. Q. What is the worth of it? A. I paid 2*l.* 2*s.* 6*d.* for it two years ago—it was second-hand.

WILLIAM HARVEY (*police-constable K* 274.) I was called between one and two o'clock in the morning—I went to Carter's house—I knocked, and Wilson opened it after about five minutes—I said to the prosecutor, "Is this her?"—he said, "No"—while I was at the door I heard the back-door open—I said, "She is gone into the garden, come this way"—we went to the back of No. 6, and found several people—they would not let me in—I went to Carter's house again, and they would not let me in

—I got a light, and went into the garden through No. 2, and found Carter between Nos. 5 and 6—I said, "What have you done with this man's waistcoat, watch, and money?"—she said she knew nothing about it—I said at the station-house, "Are you the person who took this man in?"—she said, "Yes"—I said, "Did he pay you?"—she said, "Yes, half-a-crown"—I traced the watch to a pawnbroker's.

WILLIAM WOOD OGLEBY. I am foreman to a pawnbroker, in High-street, Shadwell. This watch was pawned on Saturday night last, between eight and nine o'clock, by Carter—after she gave it me Wilson came in—I asked Carter where she got the watch from—she told me it was all right—she wanted 15*s*. on it, and I advanced it.

Carter's Defence. I was in the Red Lion public-house—the prosecutor gave me a glass of gin, and asked where I lived, I said in Red Lion-court;—he went with me; his jacket and hat were all wet, and I dried them; he asked me to pull his shoes off. I asked him what he was going to give me; he asked if I would trust him, I said, "No;" he said he had no money, but he would give me his watch, and he pulled it out—I took it to Mr. France's, and got 15*s*. on it.

CARTER—GUILTY. Aged 19.—Transported for Seven Years.—One Year Penitentiary.

WILSON—NOT GUILTY.

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734. MARY SMITH was indicted for stealing, on the 2nd of February, 1 crown and two half-crowns, the monies of Timothy Smith.

TIMOTHY SMITH. I live in Golden-grove, Old Brompton. I was at the George public-house, on the 2nd of February, with three or four others, and we were about making a bet of 10*s*.—I placed on the table one crown and two half-crowns—while I was making the bet the landlord came in, and said he would not allow the bet to be made—the prisoner took up the money and went out—I went as far as the Admiral Keppel public-house, and could not find her—I heard where she lived, and went to her house and waited till she came home, very tipsy, with another woman—the policeman who was with me found 3*d*. in halfpence in one hand, and a crown and half-crown and two more halfpence in the other.

WILLIAM FORD (*police-constable B* 186.) I went to the prisoner's house at eleven o'clock that night, and saw the prosecutor with the prisoner—but while I was on duty in Cottage-street, I heard the prisoner say to the other woman, "You say I can't get enough to support myself; but I have got some *now*"—I then went round my beat, and came down opposite the cottages where the prisoner was living—the prosecutor was near the door—he said to her, "You are the person I want; you robbed me of 10*s*.; I shall give you into custody"—I found 3*d*. in her right hand, and a five-shilling piece, a half-crown, and two halfpence in the other hand.

WILLIAM BUTCHER. I am waiter at the public-house—I saw the money put down, the landlord came in, and said he would not allow a bet, it being Sunday evening—the prisoner came round, and took the money off the table and went out with it—she was not drinking with the prosecutor—we thought she only took it in a joke.

Prisoner's Defence. I have known the prosecutor fourteen years—as he went in he said, "How do you do, *Poll?*"—I said "*Tim*, how are you?"—we sat there some time—three coalheavers came in—one of them said, "I will bet you three sovereigns that I have the sharpest dog;" and

this man said, "I will bet you 10*s.* that I have got the sharpest dog"—I took up the 10*s.*, but was three-quarters of an hour before I left the house. He never asked me for it; he knew me well. NOT GUILTY.

735. THOMAS STEVENS was indicted for stealing, on the 4th of February, 1 watch, value 2*l.*; 1 watch-chain, value 6*d.*; 1 seal, value 6*d.*; 1 watch-key, value 1*s.*; 2 handkerchiefs, value 5*s.*; and 1 three-penny-piece; the property of James Price.

ELIZABETH PRICE. I am wife of James Price, a labourer, living at Isleworth. I had a watch, chain, seal, key, two handkerchiefs, and a three-penny-piece—I saw them all safe on Tuesday, the 4th of February, a little before seven o'clock in the morning—I have lost them all—I have known the prisoner a great many years—I employed him just before seven o'clock that morning to move some potatoes out of the cellar, and before that I went up and moved my husband's watch into the middle drawer of the looking-glass, as the prisoner had to pass the bed-room—he remained there till twelve o'clock that day.

THOMAS TULL (*police-constable F* 22.) I received information, and went and found the watch covered up in some hay seed in a little unoccupied house, near where the property was lost; it was wrapped up in the handkerchief—I met the prisoner in going across Sion-park—he said, "It will give me a month at the *cook's shop*," meaning the House of Correction.

JAMES HOLLIMAN (*police-constable I* 149.) I took the prisoner—I met him, and said, "You are my prisoner"—he said, "I will go with you"—in going, he said, "Who sent you for me, Mother Price?"—I said, "How came you to think Mother Price sent me for you?"—he said, "I have been at work for her, and I thought she might have lost something"—I took him to Mrs. Price—she said, "You could not have come through my room, you went through the cellar window"—he said, "I did, and through the alley."

ELIZABETH REELEY. I know the house in the alley where the watch was found—I saw the prisoner go into that house about eleven o'clock that same morning.

GUILTY.† Aged 21.—Transported for Seven Years.

736. JOSEPH WANSTALL was indicted for stealing, on the 4th of February, 2 plates, value 3*d.*; and 2 cups, value 3*d.*; the goods of Walter Young, in a vessel in a port of entry and discharge.

ALFRED DAVEY. I am steward of the *Theresa*, in the London Docks—the prisoner has been employed there some time—we had some cases of earthenware on board, at the beginning of the last voyage—they are still on deck—I believe these articles to be the property of the master, Walter Young—(*examining them*)—I cannot tell whether they were in the cases, or out loose.

GEORGE TROTTER. I am a constable of the dock. At half-past four o'clock, on the 4th of February, the prisoner was coming out with some bundles of wood—I said, "What have you got under the wood?"—he said, "Two plates"—I found these plates, and these two cups—I sent for the steward—he said the cases had been opened for some time, and he had missed things.

Prisoner's Defence. I was on board the ship, and put my hand on the shelf—I saw the two plates—I thought they were pretty, and I took them

—I found the two cups, and put them under my arm, I was stopped at the gate in coming out.

(The prisoner received a good character.)

GUILTY. Aged 19.—Confined One Month.

737. WILLIAM BECKWITH was indicted for stealing, on the 4th of February, 1 handkerchief, value 4*s*., the goods of Abraham Buhrer, from his person.

ABRAHAM BUHRER. I am a glass dealer, living in Skinner-street, Snow-hill. On the 4th of February, at half-past nine o'clock, I was in Holborn, and felt a tug at my pocket—I turned, and saw this man run away—I felt my pocket was empty—he ran faster, when I called "Stop thief"—he ran as far as Gray's-inn-lane, and the constable stopped him—this is my handkerchief—(*looking at it*)—he is the man I saw near me, and the one that ran away.

Prisoner. I picked it up. *Witness.* He was the only man that was running—I followed him till near the time he was taken—I had felt it safe not a minute before, and I had not dropped it.

JOHN DAVIES WHITE (*police-constable I* 46.) I heard the cry of "Stop thief"—I took the prisoner, and found this handkerchief in his side coat pocket—the prosecutor's initials are on it.

Prisoner's Defence. I picked it up as I was coming down Holborn, and put it into my pocket two minutes before I heard a cry of "Stop thief," and then I ran foolish-like.

GUILTY. Aged 18.—Confined Three Months.

738. GEORGE WARNER was indicted for stealing, on the 30th of December, 3 sovereigns, the monies of Caroline Gouldsborough.

CAROLINE GOULDSBOROUGH. I am a servant out of place, living with my parents, in Brown-street, Bryanston-square. The prisoner was horse-keeper to my father—these sovereigns were my wages, and they were in a purse in my box—I saw it safe at eight o'clock on the morning of the 30th of December, and missed it at seven o'clock in the evening—the box was unlocked—the prisoner lodged in the next room—I saw him down stairs at ten o'clock that day.

MARIA GOULDSBOROUGH. I was at home that day—the prisoner got up at eight o'clock, and at ten o'clock I saw him take his shoes off and go up stairs—he stopped about twenty minutes, and came down with his shoes, went out, and did not return till the evening, when he came home in a *cab* with two loose characters—I said, "What is the reason you don't attend to your business better?"—the next morning I went to him, and he said he had found a sovereign and a half in the omnibus—he was locked up, and was brought up the following Wednesday—he said he was the man that took the three sovereigns from the girl's purse, and left 7*s*.

Prisoner. You said, "Tell the truth," and I said, "I own to the sovereign and the half which I found, but no more; if I said more, I should tell a falsity"—at last the policeman said, "You must not talk to him."

COURT (*reading the depositions.*) The prisoner says, "I am guilty; I saw a little bag lying on the top of the box, with three sovereigns and some silver in it; I took the three sovereigns."

GUILTY. Aged 35.—Confined Six Months.

739. **MARGARET CARR** was indicted for stealing, on the 3rd of February, 3½lbs. weight of bacon, value 1*s.* 9*d.*; 1 key-ring, value 2*d.*; and 2 keys, value 4*s.* 10*d.*; the goods of Benjamin Bright, her master.

BENJAMIN BRIGHT. I keep the White Hart public-house, in Welbeck-street. The prisoner was my servant—I had lost the key of my bar, and found some brandy in the kitchen—I sent for a policeman—I called the prisoner and two pot-boys, and said I had lost the key of my bar—we went to the prisoner's room, and found a small bunch of keys and the key of my cash-box, which I had lost for a week, and on still searching, we found the bacon between the sacking and the bed—she said she recollected my asking for the keys, but she forgot to give them to me; that she took the bacon because her stomach was not very well, and she meant to take a slice of a morning.

Cross-examined by MR. PRENDERGAST. *Q.* You had not lost anything out of the cash-box? *A.* No—I have found the key of the bar on the ledge of the stair-case since she has been in custody—I have found a great deal of things in the cellar—she had been in my service about a fortnight.

JAMES CLOWTING (*police-constable D* 156.) I was present when these two keys, and the bunch, and the bacon were found—the prisoner said her stomach swas bad, she could not eat bread and butter; she liked a rasher for her breakfast.

GUILTY. Aged 25. Confined Four Months.

OLD COURT.—*Monday, February 10th*, 1840.

Third Jury, before Mr. Recorder.

740. **THOMAS REES SHELFORD** and **CHARLES RICKABY** were indicted for a misdemeanor.

MESSRS. PHILLIPS *and* BODKIN *conducted the Prosecution.*

WILLIAM PATRICK M'COWALL. I am a clerk at the Cosmorama, in Regent-street, and live in Alfred-place, Bedford-square. On the 25th of September, 1839, I saw this advertisement in the "Morning Herald"—(*reads*)—"Situation of 200*l.* a-year, besides rent, coals, and candles, may be obtained by any respectable man who can write a good hand, keep accounts, and refer to two respectable housekeepers as to honesty and sober habits. None need apply who cannot command 50*l.* Address, post paid, to Mr. James Barlow, 23, Alfred-street, Bedford-square, with right name and address."—In consequence of that advertisement I went to the address referred to on the same day—I found the name of Barlow on the door—I was introduced to the prisoner Shelford as the advertiser—he was in the first-floor front-room, alone, and I went alone—(there were four or five persons waiting in the passage)—he had several papers and letters before him—I told him that I called respecting the situation—he asked me how I knew of it—I told him I had seen it in the paper that morning—he asked which paper—I told him in the "Morning Herald"—he asked what was my situation in life—I told him that I was a clerk in the service of a gentleman in Regent-street—he said, "Well, you know the particulars of the advertisement; are you prepared with a sum of 50*l.*?"—I told him I could be—he said, "The situation is on a rail-

road; have you any objection to leave London?"—I told him that I had not—he said, "In this stage of the proceeding I shall not say at which rail-road, but it is one of the best in the country, and you may guess which"—he said, "Now, don't deceive yourself and me; have you the sum of 50*l.* at your command, or shall you have to go from friend to friend to raise it? that will not do; you are aware that in these cases the utmost secrecy is requisite; you ought not even to tell your own wife; a man may be a friend to-day and your enemy to-morrow"—I told him that I could be prepared with 50*l.* by a given time, if I was satisfied that he could obtain me the situation—he said that he had the influence of a director, whose turn it was to nominate to an appointment, and the person that he recommended would have the situation—he said, "If I select you, the transaction will be between you and me"—he said that I should have to receive the money paid by the passengers, and to forward it to London—he said he had several applications for the situation, and if he selected me, I should hear from him on the following Saturday—I then left the house—he was dressed in a black frock coat, a double-breasted waistcoat, black trowsers, a black curly wig, no whiskers, and a white cravat—I saw him again on the following Saturday, between eleven and twelve o'clock, at my own house—he called on me—he was dressed as before—he said, "I am happy, sir, to say I have obtained the appointment for you, and in fact, I should have had the appointment made out for you, but you forgot to give me your Christian names in full, and also the name of the parish you reside in"—I wrote down those particulars, and gave them to him—he then asked me if I was prepared with the money—I told him that I had it in the house, but I expected, before I paid it to him, that he would introduce me to the secretary or the board of directors—he said, "Sir, if you have any doubt of me, matters are at an end between us, and I can fill up the situation not a hundred yards from this house; you are not aware how these matters are managed; if a man obtains a situation under government, he does not see the party who introduces him to it; and the same in the India House, except that there a man is sworn to the performance of certain duties"—he said, "What more satisfaction can you have? I will give you a printed document, headed by the name of the rail-road, and under Act of Parliament; it will be filled up with your name, and the particulars of the situation, signed by four directors, and countersigned by an eminent banker; I don't want to touch a farthing of your money till I give you the appointment"—he was to bring it to me on the following Monday, which he did, about half-past nine o'clock in the morning—my wife was then in the room—he said, "I am happy, sir, to say that I have your appointment, are you prepared with the money?"—I said I was, and he gave the appointment into my hands—this is it—(*looking at it*)—he said it was on the Birmingham railway—after I had read it I said, "It seems all right, I will go and get you the money"—I left the room, and returned with a 50*l.* note—I opened the note, and said, "Here is a 50*l.* note," and gave it into his hands—he then said, "Your station will be at Birmingham—there will be another clerk with you—your regular duty will be six hours a day each, but by one doing duty for the other, you may be absent at any time"—he then asked me when I should be prepared to commence duty—I told him that day week, the following Monday—he said he would meet me on the following morning at the Euston-square station, that he would introduce me to the secretary,

and go with me to my station at Birmingham—my wife asked if she might accompany us—he said, yes, it was an understood thing that the servants of the Company could travel on the rail-road free of expense—he then left with my 50*l.* note, and left me this paper—(*Thomas Phillips, a clerk in the Bank of England, here produced a 50l. note*)—that is the note I gave the prisoner—I parted with it in consequence of his giving me that appoint ment to the situation—I believed that it was a genuine one, and believed his representations to be true—I went the same day to the Euston-square station, and made inquiries—I saw the chief clerk—I also went the following day, but did not see Shelford—I had no idea of meeting him, from what I had learnt there—I did not see him again till the 6th of December, when I gave him into custody, in Holborn—his hair was then something the same as it is now—he had no wig on, and he wore whiskers—he was taken before the Magistrate, and remanded, several times—I gave notice to the Bank respecting the 50*l.* note the same day that I paid it, and on Friday, the 4th of October, I received a communication from the Bank, which led me to the house of Holland, a cheesemonger, in Drury-lane—I made inquiries of him, in consequence of which I went with Shaw and Thornton, the officers, to the house of the prisoner Rickaby, on Saturday, the 5th of October, at No. 1, Bridgehouse-place, Newington-causeway—it is a broker's shop—the name of Rickards was on the side of the house—we found Rickaby there, and asked him how he became possessed of a 50*l.* note that he had changed at Mr. Holland's, in Drury-lane—he said that he was standing at his door last Monday afternoon, about three o'clock, (that would be Monday, the 30th of September, the day on which I parted with the note;) that a tall thin man came up to him, who was a stranger to him, and asked him if he could give him change for a 50*l.* note—Rickaby said that he told him he could not; that the man then said to Rickaby, "You know Mr. Gullen, do you not? he owes you 2*l.*, does he not?" he said he did; the man said, "Well, I have called to pay those 2*l.*, if you will give me change for a 50*l.* note"—Rickaby said that he took the note from the man's hands, examined it, looked at the water-mark, and thought it was a good one—he then asked us if it was a forgery—we gave him no answer—we asked him again to describe the man, and he said it was a stout man, with a pale face, black hair, and no whiskers—he repeated two or three times the fact of his having no whiskers—we then asked him how he was dressed—he said he had a black frock-coat, a double-breasted waistcoat, black trowsers, and, he thought, a black cravat—we asked him if he went to any of his neighbours to try to get the change—he said he did not; that he told the man he would go to the Bank to get it changed; that the man objected to that, and said he was going westward; he told the man he was going that way also, and he would get him the change—he said the man went with him to Waterloo-bridge, and that he (Rickaby) went to Holland's, in Drury-lane, to purchase some goods, and got change there—we asked him if he then came back to Waterloo-bridge to give the man the change—he said he did not, because the man went with him to Holland's, and he gave him the change in the street—we asked him how he gave him the change, if in gold or notes—he said, in gold and notes—we asked him if he knew the numbers of the notes—he said he did not—we asked him if there were any fives or tens, or was one of them a 20*l.* note—he said, "I gave him twenty-eight sovereigns and a 20*l.* note"—we asked him if he knew the number of that note—he said he did not—we asked him if he

knew Mr. Gullen well—he said, "Very well—we asked what he was—he said that he was a solicitor; that he was living at Sunbury; that he had had several transactions with him in the way of business—we asked him what the 2*l.* was owing for—he said, for business done for Mr. Gullen—we asked him for what specific business, and he said, "For a valuation"—we asked him when the valuation was made—he said, about eight months back—we asked him if he had given the strange man any acknowledgment for the 2*l.* he had paid on account of Mr. Gullen—he said he had not—we asked him what day it was that he changed the note, if he was positive it was on the Monday, and he said he was—we asked him what goods he had purchased at Holland's—he said he could not say exactly, but they were articles in cheesemongery—we asked him if he could not name any particular article—he said he could not—we asked if he could say to what amount the goods were—he said he could not—we asked him again if he knew Mr. Gullen well—he said, "Very well," that he was living at Sunbury—I asked him, "Do you say Sunbury or Sudbury?"—he said, "Sunbury, in Middlesex"—I took out my pencil, he spelt the name and address letter by letter, and I took it down, and also wrote his name under it—we asked what address the man had given with the note—he said, "John Brown, No. 22, Grafton-street"—he asked us if we did not see that address on the note—we told him we did—we then left the house, but without losing sight of the shop-front where we had been talking—we went about two or three hundred yards from the house, and from something which occurred to us we went back again—Rickaby was not then at home—there is a side-door to his house which leads into an adjoining street, and he might have gone out that way—on finding he was not there, we went to the nearest *cab*-stand, took a *cab*, and went at a good pace to Holland's, in Drury-lane, where we found Rickaby, in conversation with Holland—Rickaby said that Holland was his brother-in-law—we asked Holland, in Rickaby's presence, how he gave the change to Rickaby—he said, "In gold and notes"—Rickaby said, "You gave me twenty-eight sovereigns and a 20*l.* note, did you not, Mr. Holland?"—Holland said, "Yes, I did"—we then asked Rickaby what goods he had purchased at Mr. Holland's when he got the change—he said "Half a side of bacon, a Dutch cheese, six pounds of butter, and some eggs; did I not, Mr. Holland?" and Holland said, "You did"—Rickaby then left the shop, and we followed him to an adjoining street—we then entered into conversation again, and Rickaby said, "I do not know who you are, gents., or on what authority you are asking me these questions" Thornton then told him that he was a constable, showed him his staff, and explained to him that I had been defrauded of 50*l.*, and that that was the 50*l.* note that had been traced to him—he said, "Now that I know there is something wrong, if I can meet with the man I will give him into custody, so help me G—d!"—he then asked Thornton for his address, which he gave him—we then went to a public-house, and had something to drink, which I paid for—we again asked him if he knew Mr. Gullen well, and Shaw wrote down Gullen's name and address from his spelling—we then parted from him—I saw Rickaby two or three times afterwards, previous to the 6th of December last, but nothing passed between us.

Cross-examined by MR. PRENDERGAST. Q. You were on the look-out for a situation, were you? *A.* Yes—I have a very good place at the Cosmorama, but it is of an uncertain nature—I am only engaged from month to

month—I have 5*l.* a month—I have a little property of my own—I never applied for any place before this, nor offered a douceur of 50*l.*—according to the advertisement, application was to be made by letter—I did not send any letter—I mentioned the advertisement when I saw Shelford—I said I called respecting the situation, and in answer to his question, where I saw it, I said, in the paper of that day—he either asked where I saw it, or how I knew of it—I give the words as near as I can—I think his question was, how did I know of it—that is the substance—I give the substance as near as I can, from notes which I made immediately after the occurrence—I have the notes here—I made them after each day's occurrence, as soon as I found I was defrauded, which was on the Monday I paid the note—I did not put down the particulars of the conversation, till the Monday—I put them down as near as I could recollect—I am not much versed in business—I received a good education—I was in no profession before I was at the Cosmorama—that was the first permanent situation I was in—I was there five or six years—I was three months in the office of Johnson and Co., Bush-lane—I left there on account of ill health—I accepted the situation at the Cosmorama, because it was easy, and I was not in good health—I did not ask Shelford if he put the advertisement in the "Morning Herald," nor did he tell me that he did—I had not got the paper with me—I have repeatedly looked at the notes which I took—I have not looked at them this morning, nor on the day I made my deposition before the Magistrate, nor the night before that—I was in the habit of looking at them day by day—not merely looking over the portion that concerned this day's occurrence, I have resorted to them when requisite—I have no objection to produce them, but having followed these men ten or twelve weeks, there are matters concerning other parties not in custody—I have no objection to show them.

COURT. *Q.* Have you kept your recollection alive by frequently referring to those notes since the facts happened? *A.* I have not referred to them for the purpose of refreshing my recollection, but for the purposes of business connected with this inquiry, for the notes I made one week probably bear on an inquiry I was making the following week—I referred to them because there were numbers and names, and facts in them connected with inquiries that I subsequently made—but I did not refer to them respecting the conversations with Shelford or Rickaby—I cannot point out any parts in my notes which exclusively relate to these men—even the note of my first interview with Shelford does not relate exclusively to him—(*The witness handed in his notes to the Court.*)

MR. PRENDERGAST. *Q.* Can you or not point out any particular part which records this conversation with Shelford? *A.* I do not think I could point out any part in which there may not be other parties mixed up—in the first page here is a point connected with a person not in custody—it is not a journal.

Q. Why, here is something about the Steinburg murder at Pentonville; you had nothing to do with that, had you? *A.* I had not—that refers to Shelford—he had a wax-work exhibition of the murder in the house where it was committed—I had nothing to do with it—I never went to see it.

Q. Where did you get this "Morning Herald" from, that you have produced here? *A.* I purchased it, I think in the week that I was defrauded—I am quite sure it was not before I went to him—I purchased it after I found I was defrauded—I have not got the paper here that I read

the advertisement in—Shelford was respectably dressed when I saw him in Alfred-street—I am sure he had no whiskers—he had a large black wig—I am sure it did not hide his whiskers—I am quite sure he had none—the first time I saw him was on Wednesday, the 25th, between eleven and twelve o'clock, in Alfred-street—the second was on the following Saturday about the same time at my house, and the third on Monday at my house, between nine and ten o'clock—he stopped about a quarter of an hour or twenty minutes on the second and third occasions—I did not see him on the Sunday—my wife was present on the Monday—she is in Court now—on the last occasion I asked the prisoner his name—he said, "Mr. Barlow"—he did not give me a Christian name—I said to him, "Your name is Barlow," and he said, "It is"—our first interview lasted about twenty minutes—it was somewhere about that time on all three occasions—those were the only times I ever saw him until he was taken into custody—every time I saw him he had the same sort of wig, the same absence of whiskers, and the same dress—he seemed in good health, and spoke very well, not at all as if affected by any complaint that I heard.

Cross-examined by Mr. Clarkson. *Q.* I think you said in the course of your conversation with Rickaby, he asked who the persons were he was talking with? *A.* He did—neither of us said, "It is no matter, we belong to the Bank"—nothing of the kind passed in my presence, nor did any one say to him in my hearing, "You can assist us if you like, and if you will you shall be rewarded"—I will swear that did not pass in my presence—he said, "You know my name and address, and I think it only fair you should let me know who you are, or go with me to Mr. White, my solicitor, and then I shall have no objection to render you all the assistance in my power"—he also said if we would let him know who we were, and would indemnify him for any action for false imprisonment, he would give the person into custody as soon as he saw him—Thornton did not upon that say to me, "Don't tell him who you are, but I will give him my name and address, which is Thornton, policeman, 53, Red Lion-street, Holborn"—he did not say any thing of that kind—he gave him his address, but he did not tell me not to give mine—he did not say, "I will pledge my word you shall be handsomely rewarded, and any information you may give shall be kept a profound secret," nor any thing of that kind—Rickaby did not ask me to *stand* something to drink—he said nothing about drinking—I do not know who proposed going to the public-house, some one proposed it—when we were in the public-house he said to me, "I suppose, sir, we shall drink at your expense?" and I said, yes, if he pleased—we treated him as a person who could give us information—I never produced Shelford to him—this prosecution is not at my expense—I have never had any portion of my 50*l.* back—I do not seek to have it by this prosecution—I have not the slightest expectation of it.

Mr. Bodkin. *Q.* Who is paying the expense of the prosecution for you? *A.* The London and Birmingham Railway Company.

Richard Creed. I am secretary to the London and Birmingham Railway Company—their London station is in Euston-square, and they have a station at Birmingham also. There are five directors of the London and Birmingham Railway Company, of the names of Glyn, Calvert, Prevaux, Tooke, and Young—(*looking at the paper given by Shelford to the prosecutor*)—the first name I find here is G. P. Glynn, spelt with two *n*'s—the name of Mr. Glyn, who is a director of the Company, is George Carr

Glyn, and his name is spelt with one *n* only—the name Calvert is spelt right—the next is Prevost instead of Prevaux—the next Took instead of Tooke—the next name is rightly spelt—we have five directors, whose names sound like these, but the names of some are differently spelt—Mr. Glyn is not here, but I have seen him write repeatedly—I swear this signature is not his hand-writing—these are not his initials—it is G. P. Glynn instead of G. C. Glyn—this paper is altogether a fabricated document—we use no printed forms for the appointment of clerks in the Company's service, and this is headed, "Birmingham Railroad"—the Company to which I am secretary is The London and Birmingham Railway Company—there is no Birmingham railroad—we have no other director of the name of Glyn except the one I have named—I have no knowledge of the prisoner Shelford.

Cross-examined by MR. PRENDERGAST. *Q.* That document does not at all belong to your Company in any way whatever? *A.* It does not—the persons there named are directors of our Company—three of the names are correctly spelt—we have no G. P. Glynn—the chairman of our Company is George Carr Glyn—there is a director named Edmund Calvert, and his name is spelt as it is there, and two, named Prevaux and Tooke, but not spelt as they are—there is no railroad properly called the Birmingham railroad—if the term Birmingham railway was to be applied to any railway so constituted by Act of Parliament, it would be inaccurate—there is the Birmingham and Derby, the Gloucester and Birmingham, and others—the Liverpool and Birmingham is called the Grand Junction—there is the Manchester and Birmingham, but that is not formed—the Company is formed—there is no Birmingham Railway Company, so designated by Act of Parliament.

MR. BODKIN. *Q.* Is there any Birmingham railroad that has a station at Euston-square except your own? *A.* There is not—no one has authority to convey anybody down free of expense.

JOHN HAMILTON SHAW. I am in the employ of the "Morning Herald" newspaper. I have the manuscript of the advertisement in question, which was in the "Morning Herald" of the 25th of September—I took it in—I believe the prisoner Shelford to be the person who brought it—I had about ten minutes' conversation with him—I recognize his features—there is an appearance generally which corresponds, as far as I recollect—it is from that I form my belief.

Cross-examined by MR. PRENDERGAST. *Q.* His appearance corresponds? *A.* Yes, his features—I would not swear positively that he is the person, but I believe he is—I only feel sufficient doubt to prevent my swearing positively—to the best of my belief he is the person—there is very much the same sort of appearance—his whiskers were not so long then as they are now—to the best of my belief he had slight whiskers, but I did not look at him so closely—I do not think I have ever said that I thought he had no whiskers—I do not recollect whether I said he had or not—I may have said so, but I do not think I did—they were nothing like so large as they are now—it was on the 24th of September that he came—he had his hat on all the time, and I could not tell the colour of his hair—I see hundreds of persons in the office.

MR. PHILLIPS. *Q.* A man may put on false whiskers, I suppose, as well as a false wig? *A.* He may.

(*Paper read.*)—"Birmingham Railroad Station.—We, the under-named

Directors, chosen by a great body of the share-holders, in a full court, held on the twenty-fifth day of March, in the year of our Lord 1839, being in the third year of the reign of our Sovereign Lady the Queen, Defender of the Faith, of Great Britain and Ireland, empowered by act of Parliament to manage and direct all the affairs of the said Company, and also to appoint all persons as Clerks, Agents, or Servants, to fulfil any situation under the said Company, do appoint Mr. W. P. M'Cowell, of No. 6, Alfred-place, Bedford-square, in the parish of in the county of Middlesex, as clerk at the Birmingham station, at a salary of 200*l.* per annum, with rent, coals, and candles, so long as he the said Mr. W. P. M'Cowell shall be of good conduct. Given under our seals this 28th day of September, 1839.

"G. P. Glynn, Lombard-street,
E. Calvert, Upper Thames-street,
J. L. Provost, Cateaton-street,
Thos. Took, Spring Gardens,
Thos. Young, Albany,
} Managing Directors.

"G. P. Glynn, Esq., Chairman."

James Holland. I am a cheesemonger, and live at No. 107, Drury-lane. The prisoner Rickaby is my brother-in-law—I received this 50*l.* note from Rickaby, and put these initials, "J. H. & C. R." on it—I cannot say on what day I received it from him—I paid it to a person named Webb a day or two, or three days on the outside, after I received it, but I cannot say on what day—I recollect Mr. M'Cowell calling on me, about seven o'clock one evening—I should think it was three or four days, or possibly five, after I had received the note—Rickaby was with me at the time—I had paid the note away a day or two before that—I gave Rickaby a 20*l.* note and thirty sovereigns for it—I am sure of that—that was the full change—he purchased no articles at that time.

Cross-examined by Mr. Clarkson. *Q.* Had you been in the habit of supplying him with goods in your business? *A.* Yes, for years—I had supplied him with part of a side of bacon, a Dutch cheese, six pounds of butter, and some eggs, the same evening I changed the note, and he paid me for them—I cannot say whether it was Tuesday evening—I see the name "J. Brown, 22, Grafton-street," on this note—Rickaby has been in the habit of wearing a wig such as he has on now, ever since I have known him, which has been twenty years.

Mr. Phillips. *Q.* Then you have known him constantly, I suppose, for twenty years? *A.* Yes—I never knew him living in Cadogan-place—if he did live there I must have lost sight of him during that time—he is an auctioneer and appraiser—I saw no one with him when he changed the note—I gave him the full change, and he bought the things afterwards.

Louisa Ruff. I am a widow, and am post-mistress of Sunbury, in Middlesex. I have managed the post-office there during my husband's life and since, from sixteen to seventeen years—I never heard of a person named Gullen, a solicitor, residing there during that time.

Court. *Q.* Neither Gullen nor Cullen? *A.* No—I know of no other Sunbury in Middlesex except the one where I live.

John Barlow. I am a tailor, and live at No. 23, Alfred-street, Tottenham-court-road. The prisoner Shelford took furnished apartments in my house on the 24th of September last, and was to pay 16*s.* a week—he came on the 25th—when he took the apartments, he said he was a gentleman concerned in the railways, and he should want to see gentlemen—he

did not sleep there—he was there Wednesday, Thursday, and Friday, and very little on Saturday, but he kept the apartments a week, and paid for them—after he had taken the lodging, as we were going down stairs, he said, "My name is similar to yours, what is your Christian name?"—I said, "John"—he said, "My name is James Barlow"—I have a brass plate on my door, with "Barlow" on it—gentlemen called to see him on business—I am positive he is the same person—he wore a black curly wig then, and had no whiskers that I noticed, or very trifling—he called on me on the Monday morning, and when he went out I watched him—he went into No. 6, Alfred-place, and I saw a person at the bottom of Alfred-street, who I believe to be the prisoner Rickaby, and I saw a *cab* at the opposite corner of Alfred-street in Alfred-place—I saw Shelford come out of No. 6, and speak to the person, I suppose to be Rickaby, at the bottom of Alfred-street—the *cab*-door was opened for them, but a conversation took place, and the *cab*-door was shut—they walked on, and the *cab* followed them down Alfred-place—they then got into the *cab*, and drove off—while Shelford was in No. 6, Rickaby stood at the corner of Alfred-place, about a hundred or a hundred and fifty yards from No. 6—this was between nine and ten o'clock in the morning—it was about nine o'clock when Shelford was at my house.

Cross-examined by MR. PRENDERGAST. *Q.* How many times did you have any conversation with the man who was at your house? *A.* Not many, about three or four times—I had a little conversation with him when he took the apartments—my wife and I both let the apartments—we were both together part of the time—I received the money—he did not engage the first time, he called a second time—I saw him on both occasions—I do not know that my wife has ever been insane—I never saw her so, nor ever considered her so—I never heard any thing of the kind—it is not so—the first time I saw Shelford, he staid about twenty minutes or half-an-hour—on the other occasions it was merely "Good morning," "How do you do?" or something of that sort—I am always at home, except I am out on business in the middle of the day—Shelford called at my house on Sunday morning before ten o'clock, I think, but I am not positive as to the time—I do not think I saw him at all on Saturday—I did on Monday—I did not see him in the house, I met him in the street at the door—I do not believe he was in the house—he said, "Good morning, Mr. Barlow," and I said the same to him—that was all that passed—I was close to him at the time.

MR. PHILLIPS. *Q.* Have you the least doubt that Shelford is the man who took your lodgings? *A.* I am positive he is—he had no whiskers then.

ANN BARLOW. I live with my husband. I remember Shelford coming to lodge in our house in September last—he gave the name of Barlow—he came on the 24th, and continued till the Monday following—I did not see him for five minutes when he took the lodging, but my husband was with him a long time—I afterwards saw Shelford at the police-office—I said to him, "How do you do, namesake?"—he turned his head away—I said, "Won't you turn round and shake hands?" and he put his hand out—he did not make any answer.

Cross-examined by MR. PRENDERGAST. *Q.* You put out your hand to him, did you not? *A.* No—he was passing me, and I spoke to him to recognize him the more, before I took my oath that he was the man, as he

was so much disguised—he made me a very slight answer—I did not hear what it was—he put out his hand to shake hands with me—I had never shook hands with him while he was at our house—I did not think it would convict him if I got him to shake hands with me—I had no such thought.

Mr. Phillips. *Q.* Have you the least doubt he is the person? *A.* Not the slightest—he had no whiskers then.

John Griffin. I am clerk to a wine-merchant, and live in Bulstrode-street, Manchester-square. I went to No. 23, Alfred-street, in consequence of seeing this advertisement, and saw the prisoner Shelford there in the first-floor front-room—I believe it was No. 23, but I am not certain—I went to the place described in the advertisement, and spoke to him on the subject of the advertisement—he had a black wig on—I never saw him before that day—I saw him several times afterwards—I have not the slightest doubt he is the man.

Cross-examined by Mr. Prendergast. *Q.* Had he any whiskers? *A.* Not any—I believe it was on the 25th that I saw him—it was the day the advertisement came out.

Charles Young. I live in Phillimore-place, Kensington. I went to No. 23, Alfred-street, in consequence of this advertisement, and saw the prisoner Shelford—I spoke to him on the subject of the advertisement—I also saw him at No. 13, Hampton-street, where I then lived—he had a black wig on, or a *scratch*, I should call it, and was perfectly clean in the face.

Cross-examined by Mr. Prendergast. *Q.* You mean he had no whiskers? *A.* He had not—he looked as different as could be about the head and whiskers from what he is now—I asked the Magistrate, at Hatton-garden, why he could not be dressed in the same manner, as I could have been more pointed—I did not mean that I could have been more positive of him, because I should not have taken my oath if I had not been positive of him, but I thought he was dressed as he is now, to deceive; he was so very different to what he was before—he had large whiskers when I saw him at the police-office, and his hair as it is now.

Joseph Allen. I am a commercial traveller, and live in Edmond-place, Aldersgate-street. On the 25th of September I saw the prisoner Shelford at No. 23, Alfred-street, and spoke to him on the subject of this advertisement—I went there in consequence of seeing it—he told me it was a situation on the rail-road—I staid with him about a quarter of an hour, chatting on the subject of this advertisement—he had a black wig on at that time.

Cross-examined by Mr. Prendergast. *Q.* Did you go once, or twice, to the house? *A.* I went on Wednesday, and again on Sunday about eleven o'clock in the morning, but he was not at home—I did not go again.

Mr. Phillips. *Q.* What did you go for on the Sunday? *A.* To ask him more about this.

Robert Slater. I am living at present in Castle-street, Leicester-square, but I belong to Brighton. I went to a house in Alfred-street respecting this advertisement in the "Morning Herald," and saw the prisoner Shelford, who went by the name of J. Barlow—I talked to him on the subject of the advertisement—I was with him about ten minutes—his appearance was very different to what it is now—he wore a black wig, and had no whiskers.

Cross-examined by MR. PRENDERGAST. *Q.* Did you see Shelford on the Sunday? *A.* Yes, about eleven o'clock, at No. 14, Castle-street, where I reside.

FREDERICK SHAW. I am a policeman. I apprehended Shelford on the 6th of December, in Holborn, and went the same morning to No. 8, Union-court, Holborn, where I had seen Shelford come out of, and searched the house—I found some letters and papers—on the evening of the 13th of December I was with Thornton, at the corner of Southwark-bridge-place, Newington-causeway, and apprehended Rickaby by his own house—his house is a corner one, and we took him at the corner—I searched his house, and found these memorandums, this letter, and some duplicates—Thornton found some memorandums and duplicates, and three wigs, but only brought one away—I was with M'Cowell and Thornton at Rickaby's house, and heard the conversation between them—I also went to Holland's, and found Rickaby there with Holland—I also heard the conversation there—we went straight from Rickaby's to Holland's, in a *cab.*

Cross-examined by MR. PRENDERGAST. *Q.* When you saw Shelford come out of Union-court he was very much in the same state he is now, was he not? *A.* His whiskers were not so dark as they are now—he had not so much whiskers then as now—I should say he does not look just the same now as he did at the police-office—as far as I am able to judge, his appearance is very different—he was examined the day after he was apprehended.

Cross-examined by MR. CLARKSON. *Q.* Do you remember Rickaby asking who you were when you went up to him? *A.* I do—I was in plain clothes—neither of us answered, "It is no matter, we belong to the Bank"—I do not recollect any such observation—nothing was said at all about the Bank—Rickaby asked us at the first interview whether we belonged to the Bank, but I do not recollect that any answer was given to that question—there may have been some conversation passed which I do not recollect—it would be impossible for me to say it was not so—neither I nor Thornton said; "You can assist us if you like, and if you will you shall be rewarded"—he said, "You know my name and address, and I think it only fair you should let me know who you are, or accompany me to Mr. White, my attorney"—that was in answer to our asking him to go with us to the station-house to see a printed document that Mr. M'Cowell had received—he said, "No, I shall not go; if Mr. M'Cowell thinks proper to give me into custody I will go; but if you like to go with me to my solicitor, I will go with you there"—he might have said, if we would go with him to his solicitor, he would render us all the assistance he could—I do not recollect it—he said, if the prosecutor would let him know who he was, or indemnify him for any action for false imprisonment, if he saw the man he would give him into custody—Thornton, upon that, said, "You need not give him your address, I will give him mine," and he wrote it down for him—he did not say, "I pledge my word you shall be handsomely rewarded if you will give us assistance, and any information you give shall be kept a profound secret"—nothing of that kind passed in my presence I am positive—I did not object to Mr. M'Cowell's giving his name—I think Thornton said it was not necessary for Mr. M'Cowell to give his address, but Rickaby said he had seen the man once since, and would Mr. M'Cowell hold him blameless if he gave him into custody, if he saw him again—that was the reason why Thornton gave him his address.

Q. Did not the party of whom you were one, express a desire to Rickaby to give what information he could, and then agree to adjourn to a public-house? *A.* While we were talking in the street Rickaby said, "It is not worth while to remain talking in the street, that every body may hear our business; there is a public-house close by, we will go there"—I am sure he was not told that, if he gave information, it would be kept a profound secret—the word "secret" was never made mention of, that I recollect—if it had been mentioned I should have recollected it—I am positive it was not—M'Cowell asked Rickaby what he would drink—I drank with them—we had a quartern of rum, and Rickaby had a bottle of ginger-beer—it was paid for by Mr. M'Cowell.

STEPHEN THORNTON (*police-constable E* 53.) I assisted in taking Shelford into custody—I also assisted in searching Rickaby's house, and produce these papers, which I found there—I accompanied M'Cowell and Shaw to Rickaby's house, and heard the conversation which took place between them—I then accompanied them to Holland's in a *cab*, and heard what took place there.

Cross-examined by MR. CLARKSON. *Q.* You did not tell Mr. M'Cowell not to give his name, did you? *A.* No, I do not believe I did—I should have recollected it if I had—Rickaby asked Mr. M'Cowell his name, but I do not believe I told him not to give it, nor did any one else—I have no doubt I did not—he asked me if we came from the Bank, and I said I did come from the Bank—I do not know whether any of us said if he could give information to assist us we would reward him—I do not believe I did—I believe I said he could give us information if he liked, but not that if he did I would reward him—I swear I did not say that—he asked us to go with him to his attorney—I do not recollect his saying if we did he would give us all the information he could—we asked him to go to the station-house with us, and he referred us to Mr. White, his solicitor—he said, so help his G—d, he would give the man who gave him the note into custody if he saw him again, and said he had seen him once since—he said something about his being indemnified—I believe it was, but I am not positive, if he gave the man into custody, would Mr. M'Cowell take the responsibility—I do not know the exact reply Mr. M'Cowell made, but I think he said he would—I do not recollect saying to Mr. M'Cowell, "Don't tell him your name, I will tell him mine"—I gave him my name, but not in that way—I do not know that I told Mr. M'Cowell not to give his name, it is so long since—I will not be positive—I cannot recollect whether I did or not—I do not recollect saying if he would give us information we would reward him—I will not swear I did not—I may have said any information he gave would be kept a profound secret—I believe I did say so—I do not know whether I said it in Shaw's presence—he may or may not have heard it—I think he was by at the time—we went in plain clothes by order of the superintendent; but I showed Rickaby my staff.

WILLIAM CULL. I am a plumber and glazier, and live in the Strand. I know the prisoner Shelford—about the middle of September I had dealings with him for the house No. 8, Union-court, Holborn—he gave me a reference—I let the house to him—this is the agreement—(*looking at it*) —at that time he wore what appeared to me a black wig, with a very small grey whisker—the wig Rickaby has on now very much resembles it —it was a black wig like that.

Cross-examined by MR. PRENDERGAST. Q. Did you ever say or think any thing at all about the whiskers before to-day? *A.* Yes, I mentioned it to several persons—I named it to two or three of the witnesses at Hatton-garden, but not to the Magistrate—it was on the 21st of September that I let the house to Shelford—he took it in the name of Thomas Shelford.

(MESSRS. PRENDERGAST *and* CLARKSON, *on the part of the defendants, here stated that they felt themselves unable to resist the evidence, and withdrew from the defence.*)

SHELFORD—GUILTY. Aged 50. } Confined Twelve Months, and
RICKABY—GUILTY. Aged 41. } Fined 50*l.* each.

NEW COURT.—*Monday, February 10th*, 1840.

Fifth Jury, before Mr. Common Sergeant.

741. SARAH BREWSTER was indicted for stealing, on the 7th of November, 3 wine-glasses, value 3*s.*; 2 bed-gowns, value 2*s.*; 4 towels, value 2*s.*; 1 frock, value 1*d.*; and 1 pair of ear-rings, value 2*s.*; the goods of Robert Hunter; to which she pleaded

GUILTY. Aged 26.—Confined One Month.

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742. JOSEPH BRUCE, MICHAEL GLYNN, and JOHN OGAN were indicted for breaking and entering the dwelling-house of Patrick Callaghan, on the 4th of February, at St. George, Hanover-square, and stealing therein, 7 sheets, value 1*l.* 5*s.*; 2 candlesticks, value 3*s.*; 2 waistcoats, value 5*s.*; 1 petticoat, value 2*s.* 6*d.*; 4 spoons, value 3*s.*; and 2 blankets, value 1*s.*; the goods of the said Patrick Callaghan.

PATRICK CALLAGHAN. I am a labourer, living in Willow-walk, Vauxhall-bridge—it is my dwelling-house, and is in the parish of St. George, Hanover-square. I left my home at a quarter-past twelve o'clock on the 4th of February, and left my door locked—I returned about four o'clock in the afternoon—I found the door broken open, and the drawers and a crow-bar laid on the floor—I had been robbed of seven sheets and the other things stated, none of which have been found—Glynn worked for me before Christmas for a short time.

CATHERINE CALLAGHAN. I am the prosecutor's wife. I came home about three o'clock in consequence of hearing of this robbery, and these things, which were all safe in the morning, were gone.

SAMUEL CHINCHER. I live in Old Rochester-row, Westminster. Between one and three o'clock on Tuesday, the 4th of February, I was in New Rochester-row—I saw these prisoners, and another boy, who is not in custody, going together, in the direction of the prosecutor's house.

WILLIAM JAMES COOK. (*A prisoner.*) I live at No. 4, Peter-street, Westminster—I have known the prisoners some time. On the 4th of February I saw Glynn in the fields at Westminster—he had under his jacket a waistcoat, made up, and a piece of waistcoating, not made up—Bruce had a flannel-petticoat, and the other boy, who is not caught, had four sheets in a basket—Ogan was looking for a policeman—(I had not been with them the first time they went to the prosecutor's house)—this was about two o'clock—they told me to go and look out for a policeman, they took the property to No. 1, Pear-street, and then they asked me to go with them—I said, "Yes," and we all went to the prosecutor's house—

Glynn took a sheet off the bed, and out of one of a drawer—I took one out, and put it in a basket—we took them to No. 1, Pear-street, which is a prostitutes' house—there were two brass candlesticks, four spoons, and a copper kettle, which they did not take away—they *planted* them under the wall—I do not know how they got in at the door—Glynn told me they broke it open with a crow-bar.

Glynn's Defence. I had nothing to do with it; I was at market at three o'clock, with my mother.

BRUCE—GUILTY. Aged 14. } Transported for Ten Years.—Con-
GLYNN—GUILTY. Aged 16. } vict Ship.
OGAN—GUILTY. Aged 13.—Transported for Ten Years.—Isle of Wight.

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743. WILLIAM GROOM was indicted for stealing, on the 3rd of February, 1 knife, value 8*d.*, the goods of Edward Coleman.

HARRIETT MAYNARD. I am servant to Edward Coleman, who lives in Penny-fields, Poplar. On Monday evening last, about seven o'clock, three boys came outside the shop, one of whom was the prisoner—we heard one say, "There she is"—I went out of the room—the prisoner and another came into the shop, and wanted a knife—we showed them one at 1*s.*—that would not do—we showed them another two-bladed pocket-knife, that would not do, it was dirty—the prisoner then saw two others—he said one would do, and he took a Jew's-harp out of his pocket, and began to play on it—some boy outside called, "Your father wants you"—the prisoner said, "He don't"—the prisoner went to the door, and before we could get from behind the counter he was gone, and they had taken the knife with them—the prisoner had put it into the other boy's hand, and said, "You should look at a knife before you buy it."

Prisoner. I did not know that a knife was lost—I have been in the shop several times since—the policeman took me, and the witness said I had not the same clothes on. *Witness.* He had the same clothes on, but a different handkerchief.

MARY REED. I live with my father, in Poplar. I was minding the prosecutor's shop, about seven o'clock that evening, and the boys passed—one said, "There she is;" and two of them came into the shop—I and the last witness went to serve them—they asked to look at a 1*s.* knife—they said it was not sharp enough to cut pens—I showed them three others, two eightpenny ones, and one sixpenny one—the sixpenny one they said they could swallow—the prisoner put a knife in the other boy's hand, and took out a Jew's-harp—he began to play on it, and then the boy outside said, "Your father wants you"—the prisoner said, "He don't"—he went to the door, and they both ran off—I could not catch them—the knife has not been found.

Prisoner's Defence. I did not know that there was any knife lost, I did not have it.

GUILTY.* Aged 14.—Transported for Seven Years.—Convict Ship.

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744. CHARLES PHILLIPS was indicted for embezzlement.

MR. DOANE *conducted the Prosecution.*

JAMES PERCIVAL. I am a soap-maker, and live in Whitechapel-road. The prisoner was in my service sixteen or eighteen months—it was his duty to receive monies on my account, particularly when I was out—I possess some houses, called Percival-buildings—it was his duty to collect the rents,

hand the money to me, and enter it into the cash-book, and I was to sign it—he had no right to keep the money—he never accounted to me for 4*l.* 10*s.* from Mr. Nash in June, nor for 4*l.* 10*s.* he received in July or August, from Sarah Neale, or for 1*l.* 10*s.* in September, from a tenant named Allingham—I found no entry in the cash-book of these three sums.

Prisoner. *Q.* When was the first time you accused me of robbery to the amount of 20*l.* and odd? *A.* I cannot say—I had so much illness I hardly knew what was done, and you took advantage of me—I had the cash-book sometimes, when I found how you were going on—I never took it from you before, but from the way you behaved about the business and other things, I thought myself justified in taking it away from you, and I wrote for my son to come home, let the consequence be what it would, as I could not do it any longer; you were desired by my son to enter every thing in the green book, and you would not—you left the cart and goods at the door, and made all the men drunk, raised a mob round the door, and told me I ought to have a strait-jacket on.

COURT. *Q.* You have charged him with stealing these sums, 4*l.* 10*s.* in June, 4*l.* 10*s.* in July, and 1*l.* 10*s.* in September; had he the cash-book then? *A.* I cannot say, but he could have entered them in the rent-book—there is a regular rent-book, that is always at his command—these sums are not entered in it—my solicitor, was appointed to meet at my house at eight o'clock, to settle a little account of different creditors—there came a ring at the bell—the prisoner started up, and in an instant went to the door, and two of the tenants came in to pay up arrears of rent—he came in, and he neither acquainted me with it, nor any thing—he left the tenants in the dark in the office, while he ran to the public-house to get change, and he put the money into his pocket—when he came in again I asked who it was—he said it was the tenant who wanted to take the corner house—I said I should be much pleased, as he looked a respectable man, I should like to have him—this was on the 12th of September—he did not pay me the 1*l.* 10*s.*—he ought to have paid it me that night.

MR. DOANE. *Q.* When the cash-book was taken from him, it was his duty to post every thing in the green book? *A.* Yes—it is here—there is no entry of any of these sums in it—the cash-book was taken from him before my son came home.

Prisoner. *Q.* Did you ever know Mr. Brown or I enter any sums in the cash-book, with the exception of transactions that took place on Saturday, when we went out? *A.* If I gave you ten, twenty, or thirty pounds worth of goods, you were bound to enter them in the book, and to give me the cash—I gave directions to Mr. Brown and you to enter all monies—one day, when you were going out, and you wanted cash, I told you to go to Cole, a tenant, and receive rent—you told me that was received—I then took the cash-book, and looked at it, and my name was signed against it—I said it was a forgery—I received an account of its being paid by cheque, and I was satisfied—when I had the cash-book taken away from you, if I received money from you I made notes, and pinned them together, till my son came home.

Prisoner. I held my finger up to you, and said you were a wicked old man, and deserved to be well shaken, you would not speak to me after that, and any thing I wanted to know was through the servant—the monies were given to the servant, and taken into your room. *Witness.* It was not so; and as to the green book, my son desired that every transac-

tion, little or much, was to be entered in the green book—I used to write notes, as I would not speak to you—this 1*l.* 10*s.* was paid to you on the 12th of September.

CORNELIUS NASH. I live in Percival-buildings. On the 22nd of June I went to the prosecutor's house, and paid the prisoner 4*l.* 10*s.*—he gave me the receipt which Mr. Percival has.

SARAH NEALE. I am a widow, and a tenant of the prosecutor. I paid my Midsummer's rent, 4*l.* 10*s.*, between the 15th of July and the 1st of August, to the prisoner—he gave me a receipt without a date.

ALBION ALLINGHAM. I am a tenant of the prosecutor. On the 12thof September I went to his house to pay the balance of rent—I saw the servant, and asked her if Mr. Percival was at home—she said yes, but he was engaged—I said, "Is Mr. Phillips at home?"—she said, "Yes"—she called him—he went to the counting-house, and I paid him 1*l.* 10*s.*—I had paid him 3*l.* before; he gave me a receipt.

Prisoner. *Q.* Did I not give you a receipt for 30*s.* at first? *A.* No, 4*l.* 10*s.*—you had received 3*l.* before.

CATHERINE MEHEGAN. I am servant to Mr. Percival. The last witness came to pay his rent—I told my master that he had come, and what for.

Prisoner. *Q.* You recollect the time Mr. Percival and I fell out? *A.* No, I do not—I used to take letters and notes from you to him in the parlour, and from him to you—I do not recollect any sums of money—I have seen some put on the chair, wrapped up in paper—I found no money of Mr. Percival's concealed in the parlour—he accused me of robbery once—he missed a sovereign, but he could not swear I had taken it—I told him I had not, I would clear myself, and then he said he would believe my word.

MR. DOANE. *Q.* Are you still in his service? *A.* Yes—the prisoner did not give me 4*l.* 10*s.* in June, nor 4*l.* 10*s.* in July, nor ever gave me 1*l.* 10*s.*

JURY. *Q.* When you took papers and money to Mr. Percival, did he ever give you a receipt to take back to Phillips? *A.* No.

CHARLES PERCIVAL. I am the prosecutor's son. It was the prisoner's duty, when my father was out of the way, to account to me for monies received—I was at home on the 22nd of June—if the prisoner received 4*l.* 10*s.* from Nash on that day, he did not pay it to me then or since—he ought to have given it to me—he settled an account that evening with me—there is no entry of it in the cash-book, or the green book—he has not accounted to me for 4*l.* 10*s.* from Neale between the 15th of July and August—there is no entry in the books—I was at home then—I was on a journey on the 12th of September—he has not given me 1*l.* 10*s.* from Allingham—this cash-book was in his possession then—there are several entries, but not of that 1*l.* 10*s.*—he must have had possession of the cash-book up to the 16th of September—he had it between the 15th of July and the 6th of August—here is my signature on the 22nd of July—he was with me that evening, and gave me no notice of the 4*l.* 10*s.*, and there is no entry of that.

Prisoner. *Q.* Where did you find the cash-book when you returned from the country? *A.* In possession of my father—that was on the 27th of October—it was not taken away by my father till the 16th of September—here is the entry of that day in your writing—on the 12th of September my father wrote word to me that there was a deficiency of 30*s.*—I

am sure my father has entrusted you with as little money as he could help since he was aware of the robbery of 30*s.*

COURT. *Q.* He says he was in the habit of sending money and papers to your father by the maid, can you find any such as this? *A.* None of them related to rent—I think there is one of 6*l.*, which my father admitted receiving, which sum ought to have been entered in the cash-book.

Prisoner. Q. You said a person of the name of Revel was present when one of these sums were paid, have you subpœnaed him? *A.* I heard you wanted him—I went down on Saturday night to tell him to come up—I supposed he was present—I left my father last January, I had some words with him—he said he thought it was very strange I could not get some bad debts in—I wrote to him, and the prisoner concealed the letter—I begged my father to write to all the defaulters, to know if I had received the money, and not accounted for it—I can find nothing in the ledger to tax you with—we have above 700 names in it—I cannot tell, till I go my journeys, what you have done—there are many other charges we could have charged you with.

JOHN GOOZEE (*police-constable K* 45.) On the 25th of January I took the prisoner.

Prisoner. If it had not been for holding up my finger to the prosecutor, this would not have happened—I kept the accounts very regularly—I took Allingham's 30*s.*, which I put down on a chair either that night or next morning—he had it.

GUILTY. Aged 41.—Confined One Year.

(There was another indictment against the prisoner.)

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745. EDWARD LEWIS was indicted for assaulting Maria Gossen; with intent, &c.

GUILTY. Aged 47.—Confined One Year in the Penitentiary.

(There was another indictment against the prisoner.)

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746. ELLEN PEARSON was indicted for a misdemeanor.

HENRY RICE. I live in Goswell-road, and am a cheesemonger. On Saturday, the 4th of January, the prisoner came to my shop—she said she wanted a loin of pork for Mr. Smith—I deal with Mr. George Smith, of No. 5, Owen's-row, and believing she was sent by him for it, I gave it to her—I should not have let her had it if I had not believed she came from him.

GEORGE SMITH. I live in Owen's-row, and am a surgical instrument maker. The prisoner had lived servant with me, but not on the 4th of January—I did not send her on the 4th of January to Mr. Rice for any pork—I did not authorise or permit her to go for any—I did not receive any—I deal with Mr. Rice.

ANDREW LAURIE. I live in St. John-street. On the 3rd of January the prisoner came to my shop, and asked for a shilling's worth of biscuits for Mr. Smith, 5, Owen's-row—I gave them to her for him—I should not have given them to her if she had not said she came from him.

GEORGE SMITH. I did not send her for any biscuits on the 3rd of January, nor did I receive any from her.

Prisoner's Defence. I was led to do it by a woman who had a large family of children.

GUILTY Aged 17.—*Recommended to mercy by the Jury.*—Judgment Respited.

747. JOHN WILTON WHELAN was indicted for bigamy; to which he pleaded

GUILTY. Aged 26.—Judgment Respited.

ESSEX CASES.

Before Mr. Recorder.

748. DAVID GOODMAN was indicted for for stealing, on the 8th of January, 1 saw, value 6*s.*, the goods of Philip Hibble.

PHILIP HIBBLE. I live at Mayland Point, Stratford. I have some work in Francis-street—I had a saw there—I worked with it on the 8th of January, and left it there, at four o'clock in the afternoon, for a quarter of an hour—I went to a public-house, and saw the prisoner there—he left the room directly I came in, and was absent five or ten minutes—next day, when I went to work, I missed my saw, not having wanted it before—I found the prisoner at the Half Moon public-house, West Ham, and gave him into custody.

JOSEPH LAMPRELL. I am headborough of Stratford. The prisoner was given into my custody on Saturday, the 11th—I told him he was charged with stealing Philip Hibble's saw, and asked what he had done with it; had he pawned it or sold it—he said he had pawned it at Bow, and would take me there—he took me to Cheese's, where I found it—he said he took it from distress—I found seven duplicates on him, three of them for stolen goods.

Prisoner. I did not tell him where it was pawned; he told me where it was, and what it was pawned for. *Witness.* He was discharged the same night as the saw was found—the servant who took it in is not here—I got the saw from Cheese in the prisoner's presence, and in the presence of the man who took it in, but on Monday the shopman had left Cheese—I did not find the duplicate of the saw on the prisoner—he said he had buried it in the ground, but he did not know where—the shopman said, in the prisoner's hearing, that he was the man that pawned it, and he made no reply.

(*Property produced and sworn to.*)

GUILTY.* Aged 20.—Confined Six Months.

(There was another indictment against the prisoner.)

Before Mr. Common Sergeant.

749. HENRY HART was indicted for stealing, on the 30th of January, 1 loaf of bread, value 6*d.*, the goods of William Skipper; to which he pleaded

GUILTY. Aged 15.—Confined Three Months.

KENT CASES.

Before Mr. Recorder.

750. ELIZABETH ADAMS was indicted for stealing, on the 2nd of February, 5½oz. weight of tea, value 1*s.* 6*d.*, the goods of John Hooper Hatnoll.

JOHN HOOPER HATNOLL. I live in the Maze, at Greenwich, and hold an appointment at the Royal Hospital. The prisoner was cook in our

service about eighteen months—I had reason to suspect my store-cupboard was robbed from time to time, and suspected the servants—I purchased half a pound of tea and four pounds of sugar, marked them, and put them into the cupboard, taking care that the articles for use were taken from another part of the house—I adopted that means of ascertaining that the cupboard was opened every night from Monday until Sunday morning—I subsequently found part of the articles marked in the possession of the prisoner—I marked the black tea by putting with it a small portion of a particular green tea, which could not be taken for mixed tea; and also got some small bits of lead, which were cut into chips and put into the canister—we had lost the key of the closet about six months before—on calling in a policeman, on Sunday morning, the 2nd of February, and charging the prisoner with the theft, she denied it with great firmness, and never departed from the denial—the policeman went into the kitchen, and found a tea-caddy with about two ounces of tea in it—he asked the prisoner if it was her tea—she claimed it—it was compared with the tea taken from the cupboard by myself, and agreed with it, having the peculiar sort of green tea and some pieces of lead mixed with it—out of twelve ounces, five and a half ounces were taken—it was stated to me, in the presence of the prisoner, that she had retired for a particular purpose—my wife apprehended that occasion had been used to get rid of the key, and the policeman found the key that had been missing for six months on the top of the soil.

Cross-examined by MR. BALLANTINE. *Q.* I believe in addition to the prisoner, you had a servant named Maria? *A.* We had—I have no doubt the prisoner and her were using the same caddy—if Maria put the tea in, the prisoner might call it hers—Maria was found to have possessed herself of the key—I cannot separate one servant from the other—we have discharged Maria.

COURT. *Q.* Had any body the opportunity of depositing the key in the privy, besides the prisoner? *A.* Unless Maria adopted the same mode of retreat from the house—both were under accusation at the same time—they were both of them, part of the time with their mistress, and each had the opportunity of depositing it there.

JOHN GLASSCOCK (*police-constable R* 25.) On Sunday, the 2nd of February, I was called into the prosecutor's house—he gave the prisoner into my custody—she went with her mistress to be searched, and shortly after I went to the privy, and found a key, which I produce, on the top of the soil—I asked the prisoner if she knew that key—she said, "Yes," and she was very sorry for it, she was very sorry she had not told the truth, for she thought then her master would forgive her—I took her to the station-house—I saw the prosecutor take some tea from a caddy, which the prisoner claimed, and some from a canister in the store-room—they both appeared the same mixture—I found particles of lead and green tea among both.

MR. BALLANTINE *to* MR. HATNOLL. *Q.* Had the prisoner not a good character? *A.* She must have had from the care which is used in receiving servants at our house—I should have given her the highest possible character before this—Maria was not prosecuted—I believe she had made some statement to her mistress which I could not give in evidence—I do not recollect the prisoner saying she thought her mistress would forgive her—both servants had access to the keys of the cupboard—I do not allow my servants tea and sugar.

NOT GUILTY.

Before Mr. Justice Coltman.

751. ISAAC PERRY and THOMAS ANTHONY BURT, *alias Thomas Anthony*, were indicted for feloniously breaking and entering a building within the curtilage of the dwelling-house of Thomas Henry Whitmarsh, at Lewisham, on the 9th of January, and stealing therein, 6 shifts, value 2*l.*; 6 shirts, value 3*l.*; 4 bed-gowns, value 1*l.*; 1 shawl, value 1*s.*; 3 pairs of drawers, value 3*s.*; 1 pair of socks, value 6*d.*; 5 pairs of stockings, value 3*s.*; 2 aprons, value 2*s.*; 2 table-covers, value 4*s.*; 1 pillow-case, value 2*s.*; 1 towel, value 6*d.*; the goods of Thomas Henry Whitmarsh: and 4 shirts, value 2*l.*; and 1 waistcoat, value 5*s.*; the goods of Thomas Whitmarsh.

MR. CLARKSON *conducted the Prosecution.*

ESTHER GREEN. I am housekeeper at the Green Man public-house, Blackheath, in the parish of Lewisham, which is kept by Thomas Henry Whitmarsh. On Thursday afternoon, the 9th of January, I was in the laundry, which is in the garden—I cannot get to it from the dwelling-house without going into the open air—it is partly under the ball-room—after passing the great entrance of the house, there is a paling, which goes entirely round the premises, enclosing the whole building, till you come to Dartmouth-road and round to the great entrance again—the laundry-door opens into a small yard and you go out of that yard into the garden—a man could get over the paling I should think—the yard is in the garden, only separated by a gate—the fence goes all round the garden—my master's and mistress's linen, and some shirts, and waistcoats, and a bag, belonging to Mr. Thomas Whitmarsh, who is the father of Thomas Henry Whitmarsh, was in the laundry that afternoon—it was there to air—the policeman has since produced a bundle to me containing these articles—some were marked in full, and some in initials—I left the laundry between four and five o'clock.

Cross-examined by MR. BALLANTINE. *Q.* Do you know any thing about the parish the house is in? *A.* I know very little about the parish—I believe it is called the parish of Lewisham—I always understood so—the laundry is attached to the house—I go through the scullery to it, and through the yard—the brick wall of the laundry and kitchen join, but there is no entrance from the house to the laundry, nor any covered way—I should think the laundry has been added since the kitchen was built—Mr. Thomas Whitmarsh has retired from the business—he kept the house till within these nine months.

THOMAS HENRY WHITMARSH. I am the owner of the Green Man public-house, and have been so wholly since May 1839. My father's name is Thomas—he does not reside with me, and is not a partner at all—it is in the parish of Lewisham—the laundry is under the ball-room and is part of the building—there is no access to it but going through the garden and yard—the laundry-door opens into a small yard close to the scullery—this yard is enclosed, and the garden is enclosed by pales six or seven feet high.

Cross-examined. *Q.* Does the floor of the ball-room form the ceiling of the laundry? *A.* Yes—it is not disconnected from it, except that there is no doorway—Burt was in my father's service three or four years ago.

ELIZABETH FULLER. I am laundry-maid at the Green Man public-house. On Thursday afternoon, the 9th of January, I was in the laundry till half-past six o'clock—there is a window to the laundry—one of the

panes of glass was broken—I secured the window when I left it by a hasp which kept it close—the hasp is about half-way up the window—it is only one sash—it opens inward on a catch with a hasp—the broken pane was not in the sash, but just under the hasp—it is a large window, which goes nearly all round the laundry, but the part which opens is about four panes—I saw the window next morning, Friday—the broken pane was not broken more than before—the opening on Thursday was large enough to admit the hand of a man who could then reach the hasp and open the window—a part of the window had been mended with wood—I found that broken much more in the morning—it is part of the frame-work; where it opens was broken, it had been repaired, and next morning it was found broken much worse—a piece of wood had been placed there instead of glass—one of the panes in the sash which opened was wood, and the other three were glass—the wooden pane had been broken partly out close by the hasp—the sash could be opened by putting a hand through the pane which was broken underneath—I do not think he could do it by putting his hand through the broken wood—the window could not be opened from outside without lifting the hasp.

Cross-examined. *Q.* How high was the broken pane from the ground? *A.* I should think six or seven feet—I could not reach it myself by standing on the ground—none of the under panes of glass were broken—I never knew the window come open after I had fastened it—I usually fasten it every day—it is my ordinary habit to fasten the window—I never forgot it—I looked round the laundry that night to see that it was all safe, and recollect it was fastened—I looked to see that the hasp was fastened—I had opened it in the day time—I shut it about four o'clock in the evening—I looked round to see that all was safe at half-past six o'clock—I had a light—I did not get on a stool—I could see it as I stood on the floor—it goes into a little hole—the hasp hangs to the window, and I could see the hasp was not hanging down.

MR. CLARKSON. *Q.* When you fastened the window, how did you get out? *A.* At the door—I locked the door, and took the key in-doors.

COURT. *Q.* When the window is open, is there room for a person to get through? *A.* Yes, quite—I found the hasp undone next morning, and the window open—the policeman and the porter had been there before me—the door and window were the only ways a person could get in—it was a very small pane that was broken, about the size of my hand, but the window which opens has larger panes—no person could have got in without moving the hasp, which I left safe overnight.

GEORGE COCKETT. I am porter to Mr. Whitmarsh, and have been so some years. Burt was in the elder Mr. Whitmarsh's service, as under-waiter, between three and four years, and lived in the house—I lived there at that time, between four and five months—it is my business to go round the premises at night and see them safe—I did so on Thursday, the 9th of January, a little before nine o'clock the laundry was all close and safe.

Cross-examined. *Q.* Had you a lantern with you? *A.* No—there was sufficient light for me to see every thing was quite safe—the window was not ajar—I was close to it, reached it with my hand, felt it, and satisfied myself that it was shut quite close.

COURT. *Q.* You did not push it to see whether the hasp was firm or not? *A.* I know it was quite closed.

GEORGE SOLE (*police-constable R* 174.) I was on duty on Friday

morning, the 10th of January, in the neighbourhood of Dartmouth-terrace, which is in the road coming from the Green Man public-house, about half-past two o'clock in the morning—I met the two prisoners, just at the top of Dartmouth-terrace, about seven hundred yards from the Green Man public-house—Perry was carrying a bundle on his back—I heard something, turned my lantern on, and could see them quite plain, twenty or thirty yards from me—when I saw the bundle I said, "Halloo, my lads, what are you loaded with?"—Anthony answered me, "*Kit*," that is all—I then passed down to the foot of the hill, they on one side of the road, and I the other—I then crossed over, went up to them, and told Anthony I must see what the *kit* was, and asked him what it was, he said, some things—I asked what things—he said, "A shirt or two, some stockings, and other things;" that he was going to work at Norwood—I took hold of the bundle Perry had on his back, and said, "I must look what these shirts are before you pass me, as it is a very unseasonable time at night"—when I took hold of the bundle he pulled himself on one side, and said, "What, do you think we stole it?"—I said, I did not know, but I must see what he had got, or I should take them to the station-house—I drew my staff, and took Perry—he said, if I took him to the station-house, I should take the bundle myself, and carry it to the station-house—he gave it into my hand—as soon as I got hold of it they tried to escape from me—they spoke together as they crossed the road with me, as I was taking the bundle, but I could not hear what they said—they tried to run away—I caught hold of Perry, and he and I fell into a ditch by the side of the road—I got up again, and caught hold of Burt, and we tustled together on the road—Perry assisted him, and I had a tustle on the road with them both—I struck Anthony with my staff, and knocked his hat in—it fell off on the footpath—he ran and picked it up, ran along, and I pursued him to a chalk-pit—Perry had escaped—I pursued Anthony two or three hundred yards—he got away, and ran into a field—I pursued him, and I fell into a chalk-pit, seven or eight feet deep—I do not know what became of his hat—as far as I know, he took it away with him—I never saw it afterwards—he got away—I afterwards returned to the spot where I had thrown the bundle down on their attempting to escape—I found it lying on the road where I had left it—I had sprung my rattle, but got no assistance for some time—I took the bundle on my back, and crossed over Blackheath-road, to go to the station-house—I then heard somebody coming down the hill, I threw the bundle down on the road, and walked up the hill, in the direction of the footsteps I heard, and a few yards further I met Perry—I said nothing to him, but jumped in upon him, collared him by his handkerchief, and said, "I want you"—he said, "What for?"—I said, "On suspicion of stealing the bundle you had just now"—He said, "You have not got me yet"—we tustled, and I threw him in the gutter, and, by the assistance of two men who were going to work, I secured him—having sprung my rattle two constables came to my assistance—I took him to the station-house, found a key, a buckle, a piece of pencil, and a staple or small hasp, on him—I am certain he is the man who was carrying the bundle when I first stopped the two men—I saw Burt at the station-house afterwards, about five o'clock—he gave his name as Thomas Anthony at the station-house—he went by that name until Cockett, the porter, was produced—he then said his name was Burt, but Thomas Anthony Burt was his name, he was called Thomas Burt, for shortness—I had bent his hat right in with my staff, and broke the crown in.

Cross-examined. *Q.* Are you quite sure you have given a correct account of every thing? *A.* To the best of my knowledge—when I say Anthony I mean Burt—what I have attributed to him is quite true—I have made no mistake about it, as far as I know—I will not answer for having made any mistake in other matters—I have not stated precisely what each said—I am quite sure Burt said "Kit," on my asking him what was in the bundle—I was close to him, and spoke to him—I could not possibly make a mistake—I had my lantern turned right on his face, and heard the words from his mouth—I was examined before the Magistrate the same morning—I remember most of the transaction as well now as I did then—when I come to consider, I recollect things which I did not before—I am certain Burt used the word "kit."—(*The witness's deposition being referred to, stated "Perry had a bundle on his back—I asked him what they had—Perry said, 'Kit.'"*)—I took Perry about twenty minutes after the scuffle, or it might be half an hour—it was nearly half a mile from the place, on the road to London, but in a different road to that I was going—he was on another road, coming down towards the road I was going.

MR. CLARKSON. *Q.* How is it Perry is named in the depositions as saying "Kit," instead of Burt? *A.* I do not know whether it is a mistake or not in the depositions, but it was Burt said so, Perry never spoke a word to me.

Burt. *Q.* Did not you say at the station-house that the man who escaped from you had on a blue coat? *A.* I said he had a coat, I could not tell the colour—I did not say I had a desperate struggle with the man in the road, and beat his hat in with my staff, and that I must have disfigured him—I said I struck him with my staff on the back of the head or the back once—you are not dressed as you were then, because you have a white handkerchief on now, which you had not—I struggled with Burt mostly—I first seized Perry, and fell into the ditch with him.

GEORGE COCKETT *re-examined.* The goff-house is under the ball-room, and joins the laundry—I went to the premises in the morning—I missed nothing from the goff-house—we had several staples like this in the goff-place—I found the door of the goff-box open—it appeared to have been broken open—the staples were kept in the box—I did not miss any staples from it then, but I afterwards found there was one gone—in fact there were several gone, but I cannot say that is one of them—the door of the goff-box is usually kept bolted inside, but that morning it was on the latch—I am not certain it was latched.

JOHN ROSCOE. I am a policeman. On Friday morning, the 10th of January, between two and three o'clock, I met Anthony on the Blackheath road, about a quarter of a mile from the Green Man, and half a mile from Dartmouth-terrace—he was without a hat, and had a handkerchief tied round his head—I stopped him, and observed he seemed rather confused as I passed him—I said, "Halloo, master, what is the matter?"—he said, "I have been to the Ordnance Arms with some friends, spending the evening—we got quarrelling, and from that got fighting—I lost my hat in the scuffle, and was very glad to escape without it"—I had heard nothing of the robbery then, and let him go by—I heard a rattle spring soon afterwards, as I went towards Blackheath-hill—I ran to where the sound came from, and found a bundle lying in the road—I took it up, and saw Sole holding Perry by the collar, taking him to the station-house—he was thirty or forty yards from the bundle—I produce the bundle—I did not know Burt before.

Burt. *Q.* When you met me, did not you say, "Halloo, master, have you lost your hat?" *A.* I said, "What is the matter? have you lost your hat?"—you did not say you had been to a house on the road—you named the Ordnance Arms public-house—you were walking fast, and seemed very much confused and irritated.

WILLIAM GEORGE OSBORN (*police-sergeant R* 13.) I went to the Green Man public-house on the 10th of January, between three and four o'clock in the morning, and examined the premises—I found the laundry window open—there is a wall below the window, which appeared to have some scratches on it, as if somebody, in getting on, had scratched it with the toes of their boots or shoes—I stood on a beer-barrel, and saw the linen lying about in the laundry—I alarmed Mr. Whitmarsh and his family—I went there in consequence of seeing his name on the linen at the station-house—I think the window is large enough to admit a man through.

SAMUEL BEE. I am a policeman. On Friday morning, the 10th of January, I was on duty in the Lower-road, from London to Deptford, and saw Burt, about a quarter-past three o'clock, near the Windmill-house, nearly two miles from the Green Man public-house—he had no hat on, but a handkerchief tied round his head—I had received information of a robbery—I asked where he was going—he said, "To Bermondsey"—I asked him where his hat was—he said he had lost it, that he had been in a *row* at some public-house—I asked what public-house—he said he did not know—I asked which way he came—he said he did not know, that he had been sleeping, and some man awoke him up—I told him he was my prisoner—he asked what the h—l he had done—I said, "Never mind, if you have done nothing, you will be done nothing to"—I took him to Greenwich station-house—he was perfectly sober.

THOMAS M'GILL. I am an inspector of the R division of police—I was at the station-house on this morning, and received charge of the prisoners—I asked Perry if he was the person who had possession of the bundle when the constable stopped him in the first instance—he said, "Yes," and said a man gave it him to carry, and he would sooner be transported than starve.

Cross-examined. *Q.* After asking whether he had the bundle when the policeman stopped him, did you go on to say, "Do you then admit the possession of it?" *A.* No, I did not—(*The witness's deposition being read, stated, "I said, do you admit the possession of it? he said Yes"*)—that was read over to me—I have been in the police about eight years—I was acting inspector on *this* occasion—generally, when I take a charge, I wish to know whether it is a legal charge or not—I generally put questions to prisoners—the question depends on the nature of the charge—I put these questions, to ascertain whether it was a legal charge—the statement of the officer was, that he had stopped the man—I have heard the officer's evidence to-day—I thought their statement sufficient to detain the prisoners—the constable told me he had stopped two men, and both escaped from him—that he afterwards went to the place, and found the bundle, and afterwards re-took one of them, and brought him to the station-house, and said, "I will charge this man with having the bundle, and not giving a satisfactory account"—I then asked Perry if he admitted having possession of the bundle—he said, "Yes"—I was a clerk in the law department before I was a constable.

MR. CLARKSON. *Q.* Were you aware of this robbery at the time he

was brought in? *A.* No, I put the question, in order to be justified in detaining him.

ESTHER GREEN *re-examined.* I have looked at all the articles in the bundle—they are the property of my master, and bear his name—some of them belong to Thomas Whitmarsh.

GEORGE SOLE *re-examined.* The two men I saw were strangers to me—it was a moonlight morning, rather—not very light—it was cloudy, but the moon shone at times—I could see some distance—I had the best opportunity of seeing them at first when I had the light clear in their faces—I stood talking to them three or four minutes before I seized the bundle—I had a bull's-eye light—all the time I was talking to them, I had my light turned full on them—I am certain of their being the men—I was talking to them three or four minutes, perhaps, at the bottom of the hill, and I walked alongside of them from the top of the hill to the bottom, only on the other side of the way.

Burt's Defence. I have been a waiter ever since I was ten years old, and trusted with a good deal of property. I was never charged with theft; but, unfortunately, was out of a situation—I have acted as occasional waiter at the Freemasons' Tavern, the London Tavern, London Coffee-house, and all over London. If I was a dishonest character, I could obtain plate and other property from such houses. I have held very good situations, and had the character of an honest man. I expected two or three employers to give me a character, but I suppose business has prevented them.

(Perry received a good character.)

PERRY—GUILTY. Aged 26.—Confined One Year.

BURT—GUILTY. Aged 25.—Confined Two Years.

Before Mr. Common Sergeant.

752. SAMUEL FULTON was indicted for stealing, on the 1st of February, 1 till, value 6*d.*; 25 pence, 74 halfpence, and 52 farthings; the property of William Everest.

WILLIAM EVEREST. I am a baker, and live at Woolwich. On Saturday evening, the 1st of February, in consequence of information I went out of my shop and called "Stop thief," and about twenty yards from the shop a person named Davis gave my till into my hand—it was dirty at the bottom, as if it had fallen down—there was then 6¾*d.* in copper in it—as near as I can guess there was 6*s.* or 7*s.* worth of copper in it before—I went further, and found the prisoner in custody of a policeman.

THOMAS DAVIS. I am a milkman, and live in Queen-street, Woolwich. I was coming down Church-street, Woolwich, about seven o'clock in the evening in question—I saw the prisoner running along with the till under his arm—I crossed the road to stop him—he dropped it—I took it up, and ran after him—I am sure he is the person—he was quite sober.

WILLIAM SMITH. I am an officer, I took the prisoner into custody—he threw a handful of copper down into the middle of the road—I held him by the waist, and took up 9½*d.*

Prisoner's Defence. The money was mine.

GUILTY. Aged 20.—Transported for Seven Years.

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753. SARAH DABBS was indicted for stealing, on the 17th of January, 1 chopper, value 6*d.*, the goods of George Mattison.

GEORGE MATTISON. I live at Greenwich, and deal in marine-stores. I missed a chopper on the 17th of January—I had seen it safe between six and seven o'clock that evening—this is it—(*looking at it.*)

Prisoner. I had it in my possession at five o'clock that evening. *Witness.* At past six o'clock I put my door to, and this and a number of other things were there—I know it by the painted handle, and by the string on it—I laid it on a table inside.

ELIZABETH KEAR. The prisoner came to my shop, and asked me to buy this chopper, before five o'clock—I said, "No, it don't suit me to buy it; I never buy edged tools"—she said, "Give me 3*d.* for it"—I said, "Is it your own?"—she said, "Yes," and I gave her 2½*d.* and a candle for it.

THOMAS ERY (*police-constable R* 185.) About seven o'clock that evening I was on duty in Hog-lane—the prosecutor told me a chopper had been taken from his shop by a woman—I went to the prisoner's residence, and could not find it—I found it at Kear's.

Prisoner's Defence. I bought it of a man belonging to the College the same evening, about five minutes before five o'clock—I went immediately to Mrs. Kear's, and sold it.

GUILTY. Aged 35.—Confined Three Months.

(There was another indictment against the prisoner.)

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754. JAMES KELLY was indicted for stealing, on the 25th of January, 1 carpet-bag, value 2*s.*; 7 printed books, value 3*s.*; 3 gowns, value 5*s*; 2 shawls, value 2*s.*; 12 keys, value 3*s.*; 1 pair of ear-rings, value 1*s.*; and 1 box, value 3*s.*; the goods of Ann Charrier. 2nd COUNT, stating them to be the goods of Margaret Turner.

ANN CHARRIER. I live at Edmonton, and am a widow. I left a box with Mrs. Turner on the 21st of August—I saw it at Greenwich before the Magistrate, and the books and the contents were mine—the box was locked, and I have the key of it.

CATHERINE CROWLEY. I am servant to Mrs. Margaret Turner, a widow, in Trafalgar-road, Greenwich. On the 25th of January I went with my mistress to an out-house in the garden, and observed the box, which is now produced, had all the things turned out of it—I cannot tell what had been in it—I turned the things in again—the box had been left in that out-house, and belonged to Mrs. Charrier—I saw one book laid on the table—the prisoner had been employed in that out-house, making sails for a little ship for my master before he died, in December last—I never saw him there after my master died.

JOHN HEMSLEY (*police-constable R* 193.) On Saturday night, the 25th of January, I was called to the house—I found the box broken open, and some things were on the floor—I did not take notice what they were—I went to look at the back of the premises, where I saw some one had recently got over the hedge, and saw the prisoner stooping, as if concealing himself—I asked what he did there—he said he was a watchman for Mr. Wright—I found part of the property on the ground near him—he had been drinking.

BENJAMIN LOVELL (*police-sergeant R* 15.) I went with the witness, and found some one had been over the fence—I went into the yard, and found two books, twelve keys, a pair of ear-rings, and a number of memorandums—the prisoner had been locked up before that.

Prisoner. I know nothing about it. NOT GUILTY.

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755. HENRY REEVES and ELIZABETH DALTON were indicted for stealing, on the 21st of November, 1 sheet, value 1*s.*; 1 rug, value 1*s.*;

1 bolster, value 2*s.*; and 1 dish, value 1*s.*; the goods of Thomas Jackson.

LOUISA JACKSON. I live in Dowling-street, Deptford, and am the wife of Thomas Jackson. I keep a lodging-house—I let the two prisoners a furnished lodging, which contained the articles stated in this indictment—on the 13th of December I thought it necessary to examine their lodging, and then these things were all gone—I did not authorise them to take any thing—I have seen these things since they are here—my husband has been away from me nearly five years—he is alive.

BENJAMIN HAYNES. I keep a shop at Deptford. About the 6th or 7th of January the two prisoners came to my shop, and had some tea, sugar, and other things, to the amount of 7½*d.*—they left the dish, and said in a few days they would call and pay, and take the dish away.

CHARLOTTE STRICKLING. I keep a shop in Deptford. I have a bolster which the prisoner Dalton brought to me in December—I gave 1*s.* for it—she sold it till the day she took her pension, when she was to come and have it again, but she did not, and I put it up for sale.

JOHN EVERDEN. I am a pawnbroker. I have a rug and a sheet—the rug was pawned with me by the female prisoner.

BENJAMIN LOVELL (*police-sergeant R* 15.) I took the male prisoner—he had the duplicates on him of the sheet and the rug—he said he knew nothing about them, that he had the duplicates from the female prisoner's daughter—I went with him to Rosemary-lane, and found the female prisoner—she said she did it to support the man, and he knew all about it—he did not contradict it.

Dalton. I acknowledge myself guilty of pledging the articles, but not of selling the bolster—Strickling has been in the habit of advancing loans on trifling things, and receiving interest—she has had it twice before on the same terms, and it has been redeemed by me—not having work, I was compelled to take it again to her on the 4th of January, I was to fetch it in a few days, and give 6*d.* for the money advanced—it was done with the knowledge of Reeves, with whom I got acquainted, and lived with him as his wife—on the 7th of January I paid her 3*l.* 10*s.* out of 5*l.* which Reeves gave me to pay her and some small debts—I was detained in London on some family affairs, which was the reason I could not get these things out.

BENJAMIN LOVELL *re-examined.* When Dalton left Deptford she went to London with Reeves, to receive his pension—she then went to her daughter, and had no shoes to go out in, which was the reason she could not go back to Deptford—I was forced to hire a *cab*, and take her down without shoes—Reeves had 10*s.* 6*d.* a week pension.

REEVES—GUILTY.*** Aged 59.—Transported for Seven Years.

DALTON—GUILTY. Aged 38.—Confined One Week.

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756. WILLIAM SMITH was indicted for stealing, on the 30th of January, 1 jacket, value 3*s.*, the goods of Francis Ward.

FRANCIS WARD. I am a drayman to Messrs. Cox, of Bermondsey. I was at the Two Brewers public-house, at Sydenham, about half-past six o'clock, last Thursday—I took off my jacket while I took in a barrel of beer—I put my jacket on the side by the back-door—when I came back it was gone—this is it—(*looking at it.*)

JOB RAIKE (*police-constable R* 106.) The prosecutor gave me information of this on Thursday night—I went and found the prisoner about half-past seven o'clock, with this jacket on.

Prisoner. I am innocent.

(The prisoner received a good character.)

GUILTY. Aged 25.—*Recommended to mercy.*—Confined One Month.

Before Mr. Sergeant Arabin.

757. JOHN PALMER was indicted for stealing, on the 31st of January, 1 mattock, value 3*s.*, the goods of John Lifford.

THOMAS LIFFORD. I am a labourer. I was at work at Mr. Foster's, at South-end, Lewisham, with this mattock, which belongs to my brother, John Lifford—I left it in the hedge, in the part where I was trenching, on Friday night last—I came back the next morning, and it was gone—the prisoner worked close by in the ditch—this is the mattock—(*examining it.*)

LOUISA BROADRIB. I keep a marine-store shop at Lewisham. I bought this mattock of the prisoner, who said he wanted a little money for a particular use, and if I would keep it till Wednesday he would have it again—I said I would buy it out and out, and I bought it for 1*s.*

Prisoner's Defence. I picked it up in the road as I was going home from work.

GUILTY. Aged 30.—*Recommended to mercy.*—Confined Eight Days

758. JAMES GOBLE was indicted for a misdemeanor.

NOT GUILTY.

SURREY CASES.

Before Mr. Justice Williams.

759. JOHN HENCHER was indicted for feloniously forging and uttering, on the 6th of January, an order for the payment of 5*l.*, with intent to defraud John Gregory.

JOHN GREGORY. I am an oilman, and live at Newington-causeway. On the 6th of January the prisoner came to my shop, about eleven o'clock in the morning, and presented a written order for a gallon of sperm oil—I did not know him before—he directed me to be sure to send it to Mr. Churchill—this is the order—(*reads*)—"One gallon best sperm oil. W. CHURCHILL, timber-merchant, ——— road, Lambeth."—Mr. Churchill was not a customer, but I knew him—the prisoner said I was to be sure to send that afternoon, as Mr. Churchill wanted to light up a meeting that evening—I told him I would be sure to send it—I was entering the order in the book, and as he was leaving he turned round suddenly and said, "I may as well pay you for it, if you can give me the difference of this cheque; it will save me the trouble of going into the City"—I said, "Very well," and made as if I was going to get the change: instead of that I went out the back way, and came in at the front in company with a policeman—the prisoner was waiting in the shop for the change—I said to him, "How long have you been with Mr. Churchill?"—he said, "About six months"—I said, "I doubt it; I must detain you"—he said, "I hope not," and attempted to go—he said he hoped I would let him go this time; he was in great distress; that he was publishing a book, and wanted a little money, and when he had sold his books he would have called and paid me again; I should not have lost my money—I asked him whose

writing the cheque was—he said itwas his own—I did not know any thing about him—this is the cheque—(*read*)—" Messrs. Fuller and Co., 84, Cornhill, pay £5. WM. CHURCHILL."

WILLIAM CHURCHILL. I am a timber-merchant. I have known the prisoner many years as a boy at a school with which I was connected—I have not known what he has done lately—he was in an office in the City, but has been out of employ latterly—he applied to me in April for the loan of 10*l.*, which I lent him—this cheque is not my writing—I keep cash at Fuller's—I never authorized the prisoner to put my name to any cheque.

Prisoner. *Q.* Are you at all acquainted with my handwriting? *A.* Yes, by receiving letters from you—I have got the last I received from you in my pocket—it is dated the 3rd of May, 1839—I had sent you that day a letter enclosing a cheque for 10*l.*—the cheque produced is not signed as I sign mine.

Q. Does it appear an attempt to imitate your signature? *A.* Certainly not—if this cheque had been presented to me, I should not have imagined it to have been my writing—I have no doubt it is written by you.

WILLIAM GREGORY *re-examined.* He did not get away from me—I detained him till the policeman came.

Prisoner. *Q.* You said you left your shop, and came round the back way—suppose I wished to escape, could not I have done so? *A.* You could certainly—you did not go out of the shop.

Prisoner's Defence. In attempting to conduct my own defence in a charge of so serious a nature, I am sure you will all admit I have undertaken a task of no ordinary difficulty; but I am relieved under the conviction that I am perfectly safe in the hands of his lordship and a British jury. The only evidence affecting me is that of Mr. Churchill, who swears he possesses a perfect knowledge of my writing, from having received letters from me; the date of the last letter is the 9th of May; I would ask whether a person's handwriting would not undergo some considerable change in that space, and how could a person, looking at that, say it was the offspring of my pen? He said before the Magistrate, that such was the fallibility of human evidence on hand-writing, that he would not be able to swear to his own writing two hours after he had written it. He admits it is like my writing, and not an attempt to imitate his. I leave it in your hands to say whether a charge of forgery is established.

GUILTY of Uttering.—Aged 21.

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760. JOHN HENCHER was *again* indicted for feloniously forging and uttering, on the 16th of December, an order for the payment of 6*l.*, with intent to defraud Thomas Ridgway.

JOHN CHARLES WILLS. I am in the employ of Thomas Ridgway, a tea-dealer in King William-street—he has no partner—the prisoner came to the shop on the 16th of December last, between three and five o'clock in the afternoon, and ordered tea and coffee, amounting to 1*l.* 7*s.* 4*d.*, to be sent to Dr. J. C. Brown, 11, New Broad-street—he gave me the order verbally, and I took it down—he tendered this cheque for 6*l.* in payment—he put it into my hand, and said if I gave him the difference he would pay me at once—I took the cheque, we sent it to the banker's, and before the young man returned the prisoner said he was going to Abchurch-lane, and would return in a few minutes if I would get the difference ready—he did not return—I found him in custody in about a fortnight or three weeks—I

held him in conversation a short time before he left the shop—I am sure he is the person, to the best of my knowledge—I did not ask him any question about the cheque—I did not know the person by whom it appears to be drawn.

Prisoner. *Q.* By what are you prepared to swear to me? *A.* From your light complexion and light hair—I will not be certain whether the shop-lamps were alight or not—I cannot say whether the person was at all aware that I sent the cheque to the banker's—I sent a young man named Jenner—the person did not see me give the cheque to Jenner—he could not be aware that I had sent it to the banker's—the banker's is in Cornhill, not a quarter of a mile from our house—I held the person in conversation after giving the cheque to Jenner—I should say three or four minutes elapsed before the person left the shop—I cannot say how long it would take a person to go to the banker's, I am a stranger in the neighbourhood—when the person left, his manner did not appear at all excited, or such as to cause my suspicion in the least.

COURT. *Q.* How long, from first to last, was the person with you? *A.* Five or six minutes—I had some conversation with him after I took the cheque—there was only the counter between us—I cannot charge my memory whether the gas was lighted—it was quite light enough for me to discern his person—I noticed that he had a very long nose, a very light complexion, and light hair—I saw him again about a fortnight or three weeks after, at the station-house in custody—I am confident the prisoner is the man.

WILLIAM CHURCHILL. This cheque is signed, "J. C. Brown," and is on Fuller and Co.—I have no doubt it is the prisoner's writing.

RICHARD DOHERTY. I am a policeman. I have made inquiry for a person named Brown at No. 11, Broad-street, but no such person resided there—I inquired about the neighbourhood—I asked the person at No. 11 if he was acquainted with a person of that name in the street—he said he was not—I did not inquire at any other house—(*cheque read*—"Messrs. Fuller and Co. Pay petty cash or bearer 6*l.* J. C. Brown. 16th December, 1839.")

Prisoner's Defence. The witness swears to me by my nose and complexion—is there any thing peculiarly striking in my complexion?—it is for you to judge—he swears the person entered the premises between three and five o'clock—he cannot tell whether the gas was lit or not—we all know between three and five o'clock, it is approaching dusk, and to identify a person by his complexion would be attended with considerable difficulty—the person remained in conversation with him, not being aware of the cheque being sent to the banker's, two or three minutes—the distance he cannot tell, but perhaps, gentlemen, you know the spot, and will decide whether a person would run the risk of being apprehended on the charge by remaining in conversation with a person four or five minutes, which would be ample time for a person to reach the banker's, and the moment he presented the cheque he would necessarily ascertain it to be forged, and make the best of his way back, so that the person had time to reach the banker's, and return while I was in conversation with him as he says—I am also indicted for obtaining goods from Messrs. Twining, on the same day, and if your Lordship will look into the deposition, you will find what time the witness says I was there, and if it was between three and five o'clock,

it will necessarily appear that I could not be there and at Twining's at the same hour obtaining goods.

HENRY JONES. I am clerk to Messrs. Twining. I have no knowledge of the prisoner—a person came to our shop—I do not know that it was the prisoner.

GUILTY of uttering. Aged 25.—Transported for Life.

(There were five other indictments against the prisoner.)

Before Mr. Justice Williams.

761. HENRY BIRKIN was indicted for burglariously breaking and entering the dwelling-house of Stephen Pudney, about the hour of nine in the night of the 18th of January, at St. Mary, Newington, with intent to steal, and stealing therein, 1 coat, value 1*l.*; 1 waistcoat, value 5*s.*; and 1 pair of trowsers, value 1*l.* 5*s.*; the goods of William Pudney.

WILLIAM PUDNEY. I am a shoemaker, and live with my cousin, Stephen Pudney, in Lower King-street, Old Kent-road, in the parish of St. Mary, Newington—he is a shoemaker. I went out on Saturday, the 18th of January—he went out first—I and his wife went out about half-past nine o'clock—the premises were made quite secure—the door was locked, and the window fastened—we returned about half-past ten o'clock, all three together—found the door fastened, but the shutters open, and the window also—a man could get in at the window—I occupy the parlour of the house, and on going in I found my box broken open, and a coat, trowsers, and waistcoat gone—I had not unlocked the box for two or three days before—they were safe then—it was broken open with a hammer.

SAMUEL CHAPMAN. I am a pawnbroker, and live in Whitby-place, Lock's-fields, Newington. The prisoner pawned these articles at my shop on Saturday, the 18th of January, about a quarter before ten o'clock—I am sure he is the man—he pawned the trowsers and waistcoat for 12*s.*, and the coat for 7*s.*—he said he brought them for J. Brown—I asked him his name—he said, "Henry Birkin"—he said Brown lodged in the same house as himself—I did not know him before—I am quite positive he is the man—I have had the property ever since, and produce them—he was perfectly sober.

JOHN BAKER. I keep a beer-shop in Walworth. On Saturday, the 18th of January, I was out with my beer, and saw the prisoner about twenty or thirty yards from the prosecutor's house, standing at the corner of the street, looking towards the prosecutor's house—on my going up he stood there, and did not move—he was about forty yards from the house—when I came up, he walked round the corner towards the house—I could not see how far he went—I knew him before—he lived three or four doors from the prosecutor's, at least his brother-in-law did—I believe he did not live there at the time of the robbery.

(*Property produced and sworn to.*)

GUILTY. Aged 20.—Confined Twelve Months.

Before Mr. Justice Coltman.

762. CHARLES MUCKLESTONE and EDWARD FLEMING were indicted for stealing, on the 10th of January, at Lambeth, in the dwelling-house of Thomas Baster, about four o'clock in the night, 1 coat, value 5*s.*; 1 waistcoat, value 4*s.*; 1 pair of trowsers, value 7*s.*; 1 pair of stockings, value 1*s.* 6*d.*; 1 cap, value 10*d.*; 2 aprons, value 1*s.*; and 3

handkerchiefs, value 2*s*. 6*d*.; his goods; and afterwards burglariously breaking out of the said dwelling-house.

THOMAS BASTER. I keep the Cross Keys public-house, in Broad-street, Lambeth. The house belongs to Louthwaite and Evans, the brewers, and I was put in to look after it, as their servant—they do not pay me wages—I was to have what I could make out of what I sold—they supplied the beer—I was liable to them for the price of it—I am single—I had a bed in the house, and generally slept there, except once a week, when I went home to my father's—I have a boy in the house to assist me—I pay him wages—nobody slept in the house but him and me—on Friday, the 10th of January, I left the house, at eleven o'clock, leaving it in charge of the boy, James Sullivan—I left no one in the house but him—I saw the place all fast, and went all round it with a candle—I heard the boy put the bar down before I went away, after I got outside—I returned next morning, and missed a bundle of clothes, and two aprons and a red night-cap, which laid on the top of the bundle; also a bottle of brandy, a quart of rum, and a quart of gin—I had seen the bundle before I went away the night before—I had taken a handkerchief out of it to put round my neck—I made the bundle up after taking it out, and put it on the top shelf of the dresser at the back of the bar, in a little back room, with the two aprons and the red night-cap on the top of it—on the Tuesday morning following a baker named South brought me some of my clothes, which I gave to the policeman the same morning—the aprons and night-cap I found in the house when I went back on the Saturday morning—they had been dropped going out—I had seen the prisoners in the house on the Friday—they came in about dinner-time—they went out once in the afternoon, and then came in again—Mucklestone told me, when I was putting on the silk handkerchief that night, before I started, that he would rob me that night, and lie in my bed—I only laughed at him, thinking it a joke—all the company went out of the house before I left.

Cross-examined by MR. PHILLIPS. *Q*. Who was present when Mucklestone said that he would rob you that night? *A*. Both the prisoners and my boy—it was about half-past ten o'clock at night that Mucklestone told me so—I was examined before the Magistrate the next day—I did not mention it then, nor did Sullivan—I have not been talking to Sullivan about the case since I was examined before the Magistrate—all I said to him was, not to be frightened—I did not put him in mind of what Mucklestone had said—I do not know why I did not tell the Magistrate of it, nor why Sullivan did not—Mucklestone did tell me so, and Fleming said, "Aye," and laughed at it—there was no licence to this house when I first went there—Louthwaite and Evans have the licence now—it was not taken out till I had been there a week—there has been three or four different people in the house within this twelvemonth—I cannot rightly say who has the licence—I do not know who had it at the time of the robbery—I was paid no wages—I paid Sullivan 18*d*. a week—he always slept in the house—I am sure the brewers did not pay him—they did not allow me any thing but the profit on the liquor—I was answerable to pay them what I received—the liquor was guaged to me, and when I went out they guaged it again—I paid them for what was sold—it is their public-house, and I was put in as their servant.

JAMES SULLIVAN. I was employed at the house to assist Baster. On Friday night, the 10th of January, he went away at half-past eleven o'clock

—there was nobody left in the house but me—I fastened the door after him, and barred it—about a quarter of an hour after he was gone some man came to the window, and asked me to let him in to have some beer—he swore, if I did not let them in, he would break the window—I let him in—he took the candle away from me, and went to the till where the halfpence were, laid hold of a handful of halfpence, took four pence, and pitched the rest back—he took hold of me, and *ruffled* me about, while the two prisoners got in—I had seen them in the house before several days, and am sure they are the boys—I had seen them there that afternoon and evening, and several times—I did not hear either of them say any thing to the prosecutor before he went away—I do not know the name of the man that came in—when the prisoners came in the man had half a quartern of gin, and wanted me to give *Teddy* (Fleming) a glass of gin to keep him warm—I refused—he told me *Teddy* had to be out all night—I then went to bed, but two policemen came first—the prisoners were gone then—I saw them go out before the policemen came—I fastened the house up again, and went to bed—it was about a quarter to twelve o'clock then—I did not see the two prisoners go out—I saw the man go out, but not the prisoners—I do not know whether or not they went out before I went to bed—I did not search round the house to see if all the company were gone—I was disturbed about four o'clock in the morning by a noise as if a cinder was trod upon in the tap-room—I slept in a little room behind the bar—I had not noticed Baster's clothes there before I went to bed—I got up, and went to look who it was, and the two prisoners ran out—there was a gas-light burning in the tap-room, and a little light in the bar—Baster always leaves the gas burning to get a light in the morning—I am quite sure it was the two prisoners—there was plenty of light from the gas to see them—I saw Mucklestone run out with his hands before him, as if holding something, and Fleming opened the street-door while he went out—I cannot say whether Mucklestone had any thing in his hands, but they were held out—I saw both their faces—after they ran out I saw a man standing against the river looking at the tide, and that man went and called a policeman, and one came and stopped till half-past six o'clock—the two prisoners then came to the door—I told the policeman they were the two prisoners, and he took them—the property had not been found then—I found the two aprons in the tap-room, and the nightcap in the passage leading from the tap-room to the street-door, about half-past seven o'clock, after they were taken—when I went into the tap-room at four o'clock I found a fire there, and the gas-light burning—there is only one gas-light in the tap-room, and the one in the bar was lighted—when I went to bed the fire and gas-lights were out—I went to the station-house about eight o'clock, I think, but did not see the prisoners there—I never had any conversation with Fleming about the goods—I am sure of that—I was examined before the Magistrate the same day—Fleming said to me, "If you don't say much, I will get you the things back, because I am sure to be transported"—that was on Saturday, when I was waiting to go before the Magistrate, as I was sitting in the box where the people wait till they are called—we were both sitting together—I was alongside of them—it was before I was examined—I had not seen the aprons and nightcap dropped by any body.

Cross-examined. *Q.* Have you never said so? *A.* No—I am quite sure of that—I never said Mucklestone dropped them—I am sure I never told the Magistrate so—if I did, it was not true—I saw Baster leave the

house at half-past eleven o'clock—I did not see him put his handkerchief on—I saw him coming out with it on—the prisoners were in the house at the time—they were talking to one another—I did not see or hear either of them say any thing to Baster—I am sure of that—it was a tallish man that came in and *ruffled* me about—the prisoners did not come in for me to see them—they were standing against the door when the man *ruffled* me about—I told the Magistrate that—I let the man in—I opened the door for him—it was only one person—he tapped at the shutter, and said, "Open the door"—I said, "Who is that?"—he said, "*Tom*"—I said, "What *Tom*?"—he said, "*Tom* Barstow," and I then let him in—I let him in willingly—I knew his name—I said, "I shall not let you in," and then he said, "If you don't let me in I shall break the window"—he came in alone—there was nobody with him—I told the Magistrate only one person came in—I told him that "persons" outside threatened to break the window, and I admitted them, and served them—the prisoners were standing outside—they did not come in that I saw—they went away before the policeman came, which was at a quarter to twelve o'clock—the prisoners went away before my master went away, at half-past eleven o'clock—I am sure of that—I did not see my master before the prisoners went away—I had seen him two or three minutes before—I believe he had the handkerchief tied about his neck at that time—I saw the prisoners go out about a quarter after eleven o'clock—I did not see them come in again, that I am sure of—after I let *Tom* out I barred the door—he was in the house about ten minutes—the prisoners did not come in while *Tom* was in the house, to my knowledge—I do not know whether they could have come in—I was not near the door—I went into the kitchen—I did not shut the door—the man took the light from me, and went to the till, which is at the back of the bar, and then *ruffled* me about—my body could have come in without my seeing them then—I do not know whether any body did come in.

Fleming. *Q.* What time next morning were the things brought back? *A.* I cannot tell, I think about eight o'clock—it was on the Tuesday, I think—it was not the day I was at the office, but another day—a baker brought them—I said at the station-house I did not know what my master had lost till he came home—I told Mr. Gains (who lives next door) of the robbery at half-past six o'clock—I looked for a policeman at four o'clock, but could not find him—the policeman came about half-past six o'clock, and took you in custody about a quarter to seven—nothing was found on you that I know of—the constable did not send me to sit by the side of you at Union Hall—I went myself—I did not speak to you at all, only you said, "Don't say much, and I will give you the things back, because I am sure to get transported"—I did not say that my master said if he got the things back we would say nothing about it—you did not say, "I know nothing about it, if your master should transport me."

COURT. *Q.* During the time the man was *ruffling* you about, was it possible for any body to have got in without your seeing them? *A.* Yes they could—I was at the back of the bar, and could not see the passage from the door to the tap-room, because he had hold of me—the two prisoners were standing outside the door when I let the man out—no, they were not outside when he went out—they were when he came in.

COURT. The witness stated at Union Hall that he saw the two prisoners run out at the side door, and Mucklestone dropped two aprons and night-cap.

THOMAS WILLIAM SOUTH. I am a baker, and live in Princes-street, Lambeth. I know the prisoner Mucklestone by seeing him about the parish working for different masters, and in the winter time he came with different lads, and had leave to sleep in my bakehouse, having no home—about Christmas last I forbid his sleeping there—on Tuesday morning, the 14th, my daughter brought me a bundle of clothes—I untied it, and knowing the waistcoat, I took them immediately to Baster—I had been in my bakehouse every day from the Saturday to Tuesday.

Cross-examined. Q. Had you seen him on the premises after Christmas? *A.* No—I did not see him there after the 10th of January—I did not charge any boys with putting that bundle in my bakehouse—I asked if they knew any thing about it—I taxed a boy in my employ with it, and he ran away after I had done so—he left me on Friday—I did not tax him with putting it there, I accused him of knowing something about it—he left me without warning—he had been in my employ about nine months—he is about sixteen or seventeen years old—his name is Bradbury—I have seen him since about the street—Mucklestone was not doing any thing that I know of when at my place.

Fleming. Q. When you got up on Saturday morning were your doors open or not? *A.* I cannot say—there is no door to the bakehouse—there is a yard door, and a window any one may get into, which is generally left open—I cannot say when the clothes were put there, nor who by.

COURT. Q. If they had been there on the Saturday, should you have seen them? *A.* No, they were *shoved* under the stairs.

MARY SOUTH. I am daughter of the last witness. On Tuesday, the 14th, I found a bundle under the bakehouse stairs—I saw the cat run under, and went to get her out, and saw it—I took it to my father.

THOMAS NICHOLLS. I am a policeman. I was called at very near seven o'clock on Saturday morning, the 11th, and went to the Cross Keys public-house—Sullivan stood at the door, and pointed out the prisoners to me—he charged them with this—he said he had seen them go out of the house, and I took them on his statement—I received some clothes from Baster on the 14th, I believe, which I produce.

THOMAS BASTER *re-examined.* I know these are my clothes—I can tell the coat by a piece having been put in at the bottom of the pocket—I am sure they are all mine.

NOT GUILTY.

Before Mr. Justice Williams.

763. JAMES PRATT was indicted for feloniously breaking and entering the dwelling-house of George Allen, on the 24th of January, at St. Mary, Newington, and stealing therein, 1 cloak, value 10*s.*, his goods.

MARY ANN ALLEN. I am the wife of George Allen, a hatter, and live in Swan-street, Dover-road, Borough. I saw my cloak safe on Friday, the 24th of January, about five minutes before it was stolen, across the back of a chair, in the front parlour, where I had put it on the previous evening—Ellis gave an alarm—I went to the door, and he had the prisoner there with the cloak—I went into the parlour, and it was gone from there—I did not know the prisoner before.

THOMAS ELLIS. I am a shoemaker, and live twenty or thirty yards from Allen. On the 24th of January, I was sitting at work at my house opposite Allen's, and saw the prisoner and another lad loitering about there—I watched them, and saw the prisoner go to Allen's window, lift the sash up, open the blinds, lean himself in, and take the cloak off the

chair, fold it up, and put it under his cloak—he pulled the blind to, and partly put the window down—I was not twenty yards from him—I opened my shop-door, and ran over the road after him, and took him before he got twenty yards from the place—he might be out of my sight in turning the corner an instant, but no more—I am positive he is the same person, and when I got up to them they dropped the cloak before them—I took him within half a minute of his taking it—he had given it to the other, who had a short apron on, and they put it into that—when I came up to them I saw the other boy drop it—the prisoner was close to him—I did not know the prisoner before—I am positive of him—I took up the cloak, and brought him back with it to Mr. Allen.

Prisoner. A large wagon came by the window at the time the other boy took the cloak—I never touched it. *Witness.* No wagon passed at all—there was a hop-wagon beyond the house, but it had not passed—he gave the cloak to the other boy about a dozen yards before he turned the corner.

JAMES HOLDEN. I am a policeman. I received this cloak from Ellis. (*Property produced and sworn to.*)

Prisoner's Defence. About eight o'clock on Friday morning I got up, and was coming home to my mother, and at the time a wagon was passing a window; I saw a boy take the cloak, I ran after him, and was four or five yards behind him when Ellis caught him—he dropped the cloak, and ran round a corner; he turned round, and took hold of me.

GUILTY. Aged 19.—Confined Six Months.

Before Mr. Recorder.

764. THOMAS ANDERSON was indicted for feloniously breaking and entering the dwelling house of James Liddle, on the 21st of January, and stealing therein 1 sheet, value 5*s.*; 1 shift, value 1*s.*, and 1 bed-gown, value 1*s.*; his goods.

MARY LIDDLE. I am the wife of James Liddle, of Church-street, in the parish of Bermondsey. On the evening of the 21st of January I was in the back-parlour with my children, and heard a knock at the door—I went out, and saw Mr. Sweeny holding the prisoner on the step of the door, which was open—he was detained till another gentleman came up, and then taken to the station-house—I had been in the front-parlour between four and five o'clock that evening—the window was shut close down then I am certain, but I believe it was not fastened—I had left a sheet, shift, and night-gown on the sofa there—I saw them picked up, in the prisoner's presence.

EDWARD SWEENEY. I am a carman, and live in Maymont-rents, Church-street. On the 21st of January, I was passing No. 4, Church-street, noticed the window up, and one blind open—I looked into the room, and a man pushed the blind in my face—I said, "I beg your pardon, I thought there was nobody at home"—I walked a little way, and saw the blind shut—I went and knocked at the door, the prisoner opened it—I asked if the woman of the house was at home—he said, "Yes, walk in"—I said, "Do you live here?"—he said, "Yes"—I said "Stop a bit"—I knocked at the door again—the prosecutrix came, and said, she did not know him—Mr. Hillier came over to my assistance—the prisoner struggled from us and dropped the bundle, and I secured him until I met the policeman and gave him to him—I am certain he is the person who dropped the bundle.

HENRY HILLIER. I live in New-street, Horselydown. I heard an alarm of "Stop thief," went across, and saw the prisoner drop the bundle—I picked it up, and went and took hold of him—he said, "Let me go"—I said, "No, you shall not, till the policeman comes"—I lent the witness assistance till the policeman came—I took up the bundle—there is no area before the window.

WILLIAM BURROW. (*police-constable M* 116.) I received charge of the prisoner from Sweeney and Hillier, and have the bundle which Hillier gave me.

(*Property produced and sworn to.*)

(The prisoner pleaded poverty.)

GUILTY. Aged 27.—Confined Six Months.

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765. MARIA HANSON was indicted for stealing, on the 16th of January, at St. Mary, Newington, 1 shawl, value 10*s.*; 1 bonnet, value 15*s.*; 1 veil, value 10*s.*; 8 handkerchiefs, value 12*s.*; 7 gowns, value 3*l.*; 8 petticoats, value 30*s.*; 4 shifts, value 15*s.*; 1 pair of stays, value 5*s.*; 2 night-caps, value 2*s.*; 6 bed-gowns, value 30*s.*; 1 miniature and frame, value 2*l.* 2*s.*; 1 watch-key, value 3*s.*; 4 towels, value 2*s.*; 3 shirts, value 1*l.*; 1 habit-shirt, value 3*s.*; 1 table-cloth, value 3*s.*; 2 pairs of boots, value 15*s.*; 2 pairs of stockings, value 2*s.*; 1 apron, value 6*d.*; and 1 yard of calico, value 5*d.*; the goods of Eliza Stokes, her mistress, in her dwelling-house.

ELIZA STOKES. I live at No. 2, Manor-place, Walworth, St. Mary Newington. I employed the prisoner as charwoman three or four times, and on Thursday, the 16th of January, I went to the theatre in the evening, and left her in charge of the house—I returned at twelve o'clock, knocked at the door several times, but got no answer—I found the key under the sill of the door, opened it, and found a light in the passage—the prisoner was not in the house—I found a bonnet and shawl in the kitchen—I missed from my bed-room the articles stated, the value of which is about 10*l.*—I have seen some of them since.

GEORGE WORLEY. I am foreman to Messrs. Walmsley, a pawnbroker, High-street, Borough. I have a gown, bed-gown, petticoat, miniature, and watch-key, pawned by the prisoner on the 18th of January, about three o'clock in the afternoon, for 15*s.*, which was all she asked—I am certain of her.

ROBERT FENNING (*police-constable L* 181.) I took the prisoner into custody about eleven o'clock on Saturday evening, the 18th of January, near the Surrey theatre—she had a shawl and bonnet on, a veil, and handkerchief—she was searched at the station-house by a female, who found a gown, a pair of stays, and a petticoat on her—I have some other things, which were given up by Mr. Field, a pawnbroker, in Newington-causeway, and another parcel by Mr. Folkard, of London-road—when I took her she inquired of me several times what I took her for—I asked her where she got the articles she had on—she said she purchased them, and they were her own, but the prosecutrix identified the articles she was dressed in.

SARAH TOWNSEND. I live in Tower-street, Lambeth. I am employed to search female prisoners at the station-house. On Saturday, the 18th of January, I searched the prisoner, and found one gown, one pair of stays, and two flannel petticoats on her, which were claimed—she said she was left in the prosecutrix's house, that she put them on while the lady was away, and they were the lady's.

ELIZA STOKES *re-examined.* These are my articles—my sister lives with me—it is my house—the prisoner's mother worked for me before this, but she was ill and sent her—I carry on no business—there was no servant in the house, with the exception of the charwoman—the articles were there on the Thursday—I had not missed any thing before—I discovered the extent of my loss that night.

GUILTY. Aged 19.—*Recommended to mercy by the Prosecutrix.*

Transported for Ten Years.

Before Mr. Justice Williams.

766. THOMAS MANNING and ROBERT RICHARDSON were indicted for feloniously breaking and entering the dwelling-house of James Fleming, on the 11th of January, and stealing therein, 1 shirt, value 2*s.*; 1 shift, value 2*s.*; 1 gown, value 2*s.* 6*d.*; 1 petticoat, value 1*s.*; 5 towels, value 1*s.* 6*d.*; 6 aprons, value 2*s.* 6*d.*; 2 bed-gowns, value 3*s.*; 5 caps, value 3*s.*; 1 pocket, value 3*d.*; 8 handkerchiefs, value 3*s.*; 1 curtain, value 4*d.*; and ¼ yard of flannel, value 3*d.*; his property.

MARY ANN FLEMING. I am the wife of James Fleming, and lodge at No. 5, Lant-place, Southwark-bridge-road. On Saturday night, the 11th of January, I left home about seven o'clock in the evening—I left nobody in my apartment—I left the window quite down, but not fastened, and the shutters were closed, but not fastened—I left a bundle of linen on the table, rough dry—it was all in a dark cotton apron—I returned about eight o'clock, found the shutters thrown to, but the window half open—any body could get in—the bundle was gone—I have found nothing but one towel, which the policeman found two or three days afterwards—I know nothing of the prisoners.

HENRY BROWNUTT. I am a costermonger, and live in Little Suffolk-street with my grandmother. The prisoner Richardson lodged at my grandmother's at the time in question, but not Manning—he came there with Richardson when the stolen property was brought to our place, and I had seen him about the street two or three times before. On Saturday, the 11th of January, I went with my grandmother after some money, and when I came home to the corner of the street, the prisoners and a boy named Robert Wheeler ran by me—Richardson had a bundle on his head—they were running towards our place, and ran in-doors—the bundle was very large, wrapped up in a kind of apron—I was standing still, and they ran close by me—it was between seven and eight o'clock—I went in-doors, asked for a light directly, and went up stairs to Richardson's room, in consequence of what a woman said, and found him there—I asked him for the light—he would not let me have it till he had done with it—Manning and Wheeler were in the room with him—Richardson put his foot against the door, but I forced my way in—there was a light there—I saw a number of clean things in the room, a shirt, shift, and half a coloured handkerchief, and a number of towels and aprons—the thing they had been wrapped in seemed to be a coloured apron—I said, "Halloo, Richardson, how did you come by them?"—he said they were his sister's—I took the light from him directly—the things were on the floor—Richardson held up the towels and said, "Them towels are of no use to us; they will only *grab* us from selling them"—nothing more passed—I went down with the light, and they came just after me—I was not in the room again.

Richardson. He said at Union-hall that there was no light, and he could not see what we were doing in the room. *Witness.* I did not—I can swear to the towel which has been found, because Richardson held it up, and I noticed three holes in it, and a loop at the end.

Manning. *Q.* How far off were you when we brought the bundle in? *A.* I was by the public-house, which is next door—I was five or ten minutes in the room.

Manning. At the office he said he was not a minute in the room—there was no light—it was blown out. *Witness.* There was a light—Richardson would not let me get to the candle; he put it on the other side of the room—I have been looking for Wheeler, but cannot find him—I knew him before by working with him.

WILLIAM HUMPHRIES. I am a policeman. On Monday morning, the 13th of January, I took Manning at his mother's room, No. 6, Market-street, St. George's-market—I searched a room at No. 7, Suffolk-street, but could find nothing there—Richardson was taken by a brother constable, and Wheeler was taken—they were all three discharged by the Magistrate, as we could not find any property; but on the Wednesday following, the 15th, I found a towel in the bottom room of the house where Brownutt lives—it is a lodging-house, and they all come down there to wash—there are six or seven lodgers—I found the towel just inside the door, on a little shelf among other dirty things—the prisoners were taken again the next day—on the towel being presented before the Magistrate, Richardson said something—I believe it was taken down in writing—I am not sure, it was before we gave our depositions—it was said in the presence of the Justice—we go round to the clerk to give our depositions, after we have been before the Magistrate—it is all in the same office—it is taken down in the presence of the Magistrate.

Manning. The policeman said at the office the towel was found up stairs, in the bed-room, and when our commitment was made out, it was said it was found down stairs—he said that was true, and they altered the deposition. *Witness.* I did not say it was found in the bed-room—I found nothing up stairs.

MRS. FLEMING *re-examined.* I know the towel, by my husband's initial "F," which I marked myself, in the corner—it is nearly worn out—I am sure it is my work.

Manning. The policeman said at the office the mark could not be perceived—the towel has been washed since. *Witness.* It was just the same as it is.

HENRY BROWNUTT *re-examined.* I know the towel by this little loop, and three holes in it.

Manning. He said there were three great holes which he could put his fingers through. *Witness.* I did not.

Richardson's Defence. He knows more about it than I do—he said he went for his grandmother, that when he came along the street, and saw me, he went and asked for a light, and the woman said, "Jacob has got it"—that he went up stairs, and I blew out the candle—they could not see what we had got, and yet he swears to the towel in the dark above all the other things.

Manning's Defence. How could he perceive the towel in the dark when he said Richardson blew out the candle?—he said so at the office—I throw myself on the mercy of the Court.

MANNING—GUILTY. Aged 15.—Confined Three Months.

RICHARDSON—GUILTY. Aged 19.—Confined Nine Months.

Before Mr. Sergeant Arabin.

767. FRANCIS MERCIER was indicted for stealing, on the 5th of December, 38 pieces of wooden type, value 9*s*., the goods of David Godfrey Holland, his master.

DAVID GODFREY HOLLAND. I am a printer, and live in Herbert's-buildings. The prisoner worked at my press—I paid him by the job—he was with me about two months—I missed this type on the 12th of January—this is it—(*looking at it.*)

WILLIAM JAMES DAILEY. I am a printer, and live at Lambeth. I have known the prisoner about two years—he used to supply me with wooden type and different articles at times—about the 28th of December he called, and asked me to give him a job to cut some wood-letters—I said I wanted an old fount made complete, and ordered him to cut me a certain number of letters—in the afternoon he brought me a sample of letters, and said, if that would do I could have it at half-price, as he had taken it in exchange—he brought it to me the same evening—I said I would make shift with them, and bought them of him.

Prisoner's Defence. Mr. Holland owed me some wages—I could not get them, and was obliged to take the type to get food.

DAVID HOLLAND *re-examined.* It is not true—he came to work on the Monday before Christmas—I had some handbills to do for a draper—he worked part of the day, and then I did not see him again till after Christmas—I did not owe him any thing.

GUILTY. Aged 20.—Confined Eight Days.

Before Mr. Justice Williams.

768. EDWARD MURPHY was indicted for unlawfully, maliciously, and feloniously assau'ting Daniel Mahoney, on the 28th of December, and stabbing, cutting, and wounding him upon his left thigh and head, with intent to kill and murder him.—2nd COUNT, stating his intent to be to maim and disable him.—3rd COUNT, to do him some grievous bodily harm.

DANIEL MAHONEY. I am a shoemaker. The prisoner lodged with me for nearly twelve months, at No. 8, Queen-street, Mint, in the Borough. On the 28th of December, between nine and ten o'clock at night, I went up stairs to a room on the third floor, for a bed, which I had lent to two young women five or six weeks before, as they had none to lie on—they were no relations of the prisoner, nor did they live with him—he lodged in the same room with me on the first floor—when I went up I found the door shut—I knocked at it, and was answered by the prisoner, and he said, "I will get the bed immediately"—in five or six minutes he opened the door, and said, "Here is your b—— bed"—the bed was then rolled down stairs, and he held a light in his hand, and said, "Come, you can come in and see if she is here"—I went in and told him it made no matter to me where she was, but he should be ashamed to commit such nastiness in a house where so many people lived—(I had been told that he and the young woman Mary Hurley had been in bed together that night, which made me go up for the bed)—there was no woman in the room then—there was a candle in the room, and a fire too—the prisoner had the candle in his hand—he said, 'There are so and so bad in the house," alluding to other lodgers—I came down to my own room—I went up again in a minute or two afterwards, and when I got very near the door the prisoner threw the candlestick from his hand into the room—he was inside the room—I observed the light

thrown on the floor as I stood on the stairs—as soon as I crossed the door, and got into the room I received a stab on my left thigh in front, from the prisoner—I fell on the boards, as my flesh trembled—I fell right on the spot—I called out to Fitzgerald, the landlord, and told him my leg was broken—he was in my apartment at the time—I said nothing to the prisoner—Fitzgerald came to my assistance, and as soon as I got up I fell again on the floor, and remained there some time—I had not felt any thing else done to me before Fitzgerald came—I could not remember what passed after the second fall—I became quite stupid after receiving the stab—I fell in attempting to get up of my own accord—that was after Fitzgerald came in—I did not know of any other harm being done to me except the stab on the thigh, but I found afterwards that I had received eight cuts, two on my forehead, and the remainder about my head, before and behind—two were on the back of my neck—I perceived that when I got to the hospital, about eleven o'clock the same night—I cannot tell when or how they were done—I came to myself at the hospital—I had a stab in the breast of my shirt, but it did not go quite to the flesh—it was a stab, or cut—it was done at the same time—I had not done or said any thing to the prisoner—I never offended him at all—I was ill from the 28th of December till last Monday morning—I was an in-patient of Guy's hospital till then.

Prisoner. I was in his company all Christmas week, drinking from one public-house to another, and lent him money to spend. *Witness.* I was with him sometimes, having been together, several times for a couple of days—he did not lend me money—he gave me some which was due to me for rent—I did not borrow half-a-crown of him—I did not ask him for it—he told me he might as well give it me then as at another time—that was on Thursday morning, I think, the morning after boxing-day—more than that would fall due to me on the Saturday night following—it was not due until the Saturday—he was paying me 4*s.* 4*d.* for lodging, tea, and potatoes.

Prisoner. On the Saturday following I lent him another shilling. *Witness.* He gave me another shilling—that was the same as the first, for rent—there was 4*s.* 4*d.* due.

Prisoner. His wife lent me an article to go and raise money on to spend in drink, and the last shilling he had was out of that money. *Witness.* I know nothing of that—he told me he had borrowed it of the landlord underneath.

SARAH PLEDGER. I am a married woman. I know Mahoney and I have known the prisoner a short time. On the night of the 28th of December, between nine and ten o'clock, I was there—I went up stairs to the first room for some money which Mary Hurley owed me—I went to her room, but received no answer at the door—I came down again, and met the prosecutor's wife in the passage—I then went up to Mahoney's room, and in about twenty minutes he went up stairs for the bed in Hurley's room—I was down stairs in his room, and saw him bring the bed down—he only remained a few moments, and then went up stairs to the same room after some chairs—I was on the stairs behind him at the time, the door was open, and I saw the prisoner there before the light was put out—there was a candle when Mahoney first entered the room, but it was knocked out of the prisoner's hand—I cannot say whether he dropped it, or whether it was knocked out of his hand; but if it was, it was by Mahoney falling at the time—I saw the prisoner hit Mahoney about the head, as I thought, with his fist—Mahoney was

down on the floor at the time—I did not observe how he came there—he fell right in the moment he entered the room, and the prisoner fell on the top of him—I did not hear a word spoken—Fitzgerald lifted Mahoney up, and was carrying him down stairs, and then I saw the prisoner take and kick him either about the shoulders or head, I cannot say which—it was a kick with his foot, not a blow—after the prosecutor was brought down I went up again with a light, and saw blood on the floor in two or three places, but it had been wiped up—I could see the places where it had been—there were two big places—Mahoney was in a dreadful state when he was brought down—I thought his bowels were in his small clothes—he was very insensible—we could make nothing of him—he was taken to the hospital in about half-an-hour—he got his senses a little before he went, but not much, I think—I cannot say whether the prisoner had any thing in his hand at the time he hit him—I did not see any instrument till I saw a piece of a knife produced next morning, which was found by the police in the next garret.

Prisoner. I had been in her company along with the other woman that night—she was dancing along with me and the other woman. *Witness.* I was not—I never saw him on the Saturday night, only when he had a bunch of turnips, when he was at market with his wife—he was not sober when I saw him in Redcross-street, about three quarters of an hour before this happened—he was in liquor then.

Peter Logan. I am a policeman. On the night of the 28th of December, I went to this house, No. 8, Queen-street, Mint, at very near ten o'clock, and went to an up-stairs room—I did not get admission on knocking, and broke the door open—I found nobody in the room—I saw the stairs were clotted with blood, and the floor of the room had blood fresh wiped off it—I only noticed that in one particular place on the floor, but on the stairs there were several places where the blood was not wiped up—it was between the two stories—I took the prisoner, about a quarter-past ten o'clock, in the adjoining garret—I asked him if he had got a knife about him—he said he had not—I asked him no more questions, but took him into custody—he was asked what he had stabbed the man with—he said he had no knife—I saw part of a knife picked up under a table in the garret where we found him—it appeared fresh broken—I found nothing more that night—I returned next morning, and a person who rented the garret, gave me the other part of the knife—she is not here—it is the point—I think it corresponds with the other part, but there is some doubt about it—where the woman found it I cannot say.

Joseph Richard Bedford. I am a student at Guy's Hospital, and have been so six years and a half—I am twenty-four years old. On the 28th of December, the prosecutor was brought in about eleven o'clock at night, in a state of considerable exhaustion—I examined him, and found a very severe wound on the left thigh—it passed inwards and downwards, and was between four and five inches in depth—there must have been a great loss of blood—that was apparent from the state of his clothing—it was not bleeding the moment he arrived, but very shortly after it did bleed—I observed, I think, eight cuts on his head—they were merely superficial cuts—they must have been done by a cutting instrument of some sort—the wound in the thigh must have been made by a pointed and cutting instrument—he remained there until last Monday morning—the wound is not quite healed yet—there was very great danger attending the

wound at first from the loss of blood, and from an operation that might have been required—he might have bled to death—I think this knife formed one blade, but there seems a portion of it gone now—if that was an entire knife, I think it possible it might have made the wound in the thigh—I think it must have been a sharper instrument, but it is possible.

Prisoner. I have only to throw myself in the hands of you and the jury—I will ask the prosecutor as to my character.

DANIEL MAHONEY *re-examined.* I have known him twelve months—he was sometimes very agreeable, at other times very dissatisfied—sometimes in a good humour and sometimes not.

GUILTY. Aged 38.—On the 3rd Count.—Transported for Fifteen Years.

Before Mr. Sergeant Arabin.

769. THOMAS BOWMAN was indicted for stealing, on the 13th of December, 10 half-crowns, and 9 shillings, the monies of George Hasler, his master.

GEORGE HASLER. I am a cow-keeper, and keep vans and carts. The prisoner was driver of my vans for nine or ten days—I paid him 3*s.* a week and his board—on the 13th of December I gave him 34*s.* to go to the Vauxhall gas-work for two chaldrons of coke—I said I did not know exactly how much it would be—I never saw him again till that day month, and then took him—I never got my money back—he sent the van home empty by a little boy.

Prisoner. You gave me no money, your wife did. *Witness.* You had part of me and part of her.

(The prisoner received a good character.)

GUILTY. Aged 22.—*Recommended to mercy.*—Confined Three Months.

770. MARY ANN WILLIAMS and MARY BLUNDELL were indicted for stealing, on the 10th of January, 42 yards of lace, value 5*l.* 15*s.*; and 14 yards of ribbon, value 6*s.*; the goods of William White and others.

MR. CLARKSON *conducted the Prosecution.*

EDWIN MILES. I am in the employ of Messrs. White, Greenwood, and Co., linen-drapers, in Blackfriars-road. On the 10th of January both the prisoners came in, about four o'clock in the afternoon—they sat down, and one of them, I cannot say which, asked to look at some white jean—I cut off two yards from one piece—one of them asked to look at some ribbon—I produced several boxes, five different lengths were cut off, and they were put together—I think I produced three boxes to them, and in one of them was a particular piece of rose-coloured ribbon, which I recommended to them—it was the only one of that sort we had—when I had cut off the other ribbon I went to take up that ribbon to show to them again, and missed it—it had been in the third box which I showed them—amongst the five pieces which they had bought then some of them were ribbons for strings—one of them, I cannot say which, asked for edging—I left the spot where I was for the purpose of getting it, and as I returned with the box they were sitting side by side, and I observed Williams give something to Blundell—I took no notice, but produced the box of edging—it would not suit, one of them asked to look at some better; and one of them, I think it was Blundell, asked me to leave that box there—I said I was subject to a fine

of 1*s.* if I left the box, but any piece that they selected I would leave—they selected one piece, which I left on the counter, and got another box, but before I showed it to them I counted thecards of lace that were in it, and there were twenty-one—they selected three yards, at 20*d.* a yard, from one piece—I cut that off, and then put the cards of lace into the box again, and took the box into the cloth shop—I counted the cards over, and found there were three missing—Blundell had requested me to make out the bill, and said she was in a great hurry to go to tea, or something of that sort—I communicated the loss to Mr. Hubbard, my employer—he went and spoke to them—they went into the counting-house, and there Mr. Hubbard charged them with stealing some lace—they were surprised, but I was outside, just at the door, and did not particularly notice which of them spoke—after that Williams sat down in a chair, and I saw her take the lace from under her shawl, and throw it on the floor, under the chair—I then went for a policeman, and, on my return, I charged Blundell with stealing a piece of ribbon—she was then standing up, and Miss Stroud was standing by—I do not think Blundell made any reply, but she stepped aside—Miss Stroud stooped down, and picked up the ribbon from under her feet—it was the piece of ribbon that I had missed from the box—the pieces were then measured and delivered to the officer—the value of the lace and ribbon is rather better than 6*l.*—these three pieces of lace on the cards (*examining them*) had been in the box which I took to them to see, and none of these had been cut off and purchased—on picking up these goods the prisoners pleaded innocence—they began to cry, and said they would give any money to settle it, as they were respectable persons, and they did not wish to be exposed—that was the expression of Blundell.

Cross-examined by Mr. Phillips. *Q.* Which of them asked for some jean? *A.* I do not recollect—when customers come in in company I do not notice which asks for an article—I might have said which of them asked for it when I was before the Magistrate, when it was taken down—I forget whether I said it was Williams—I might say so then, because the time was short—I have had a good deal to put up with since then, and a good many customers to attend to—I cannot say whether I have ever said it was Williams who desired me to cut off the two yards—I have been at the attorney's in Hatton-garden since I gave evidence before the Magistrate.

Q. Have you ever said before to-day that Blundell said she was a respectable person, and did not wish to be exposed, except before the Magistrate? *A.* Yes, she said so—Mr. Hubbard and Miss Stroud were present, and the policeman—I forget whether Blundell denied having any ribbon or not, when I charged her with it—I do not recollect all these little items—she offered some money to Mr. Hubbard to settle it—the policeman was then present, also Miss Stroud and myself.

Q. Is this your signature to this deposition? *A.* Yes—Blundell did deny having the ribbon.

Cross-examined by Mr. Rowe. *Q.* What do you mean by persons being in company? *A.* When persons come into a shop, and sit down, and enter into conversation, I consider they come in as friends—I have seen persons speak to each other in the shop—we sell a great many more sorts of lace—there may be fifteen or sixteen sorts—if asked for lace, I certainly should ask them what sort they wanted—the prisoners sat down close to the counter—I put the things they ordered together—they did not tell me to do so—if I recollect rightly, Blundell was standing up and

Williams was sitting at the time that Mr. Hubbard spoke to them—Williams was as near to the counter then as she was when I was serving her—I put the box before them, and both of them looked at the lace—I think there were nineteen pieces in the first box—I put them out on the counter, and put them into the box again—I did not count them—I missed the ribbon before I showed them the lace—when Mr. Hubbard went to the prisoners he asked them to walk into the back premises, and said he had something to show them—he asked them if they were satisfied with the goods—Williams had a squirrel tippet on, in the shape of a shawl—I saw her throw it open in the ware-room—I examined it, but did not find any pocket in it—I looked pretty sharply after them when they were at the boxes—I do not recollect how many pieces Williams took in her hand, perhaps half-a-dozen, or more—she laid them on the counter again—I do not say that she laid down all that she took up—I saw her throw the cards of lace under the chair in which she was sitting—she brought them from under her shawl in her hand, and sat down in the chair, and slipped them under the chair—I did not see any one drop the ribbon—I do not recollect having seen Williams in the shop before—they both looked at the ribbons—I do not think Blundell took it up out of the box—I did not give any bill to Williams—I did not tell my master, as soon as I had missed the ribbon, because I would be positive about it—I was positive the ribbon was gone.

DANIEL LOVETT HUBBARD. I am a partner in this firm—Mr. White's Christian name is William, and there are two other partners. On the 10th of January my attention was called by Mr. Miles to this transaction—I went to the place where he had been serving, and saw the two prisoners—I first asked them if they had got all that they required, and then I told them I wished to speak to them—they followed me, and I preceded them to the private counting-house—I told them I suspected they had stolen some goods—I addressed myself to both of them, because I did not know which of them it was—they appeared quite indignant that I should suspect respectable women like them—I told them I must have them searched, and whichever it was, contrived to slip the goods down from them—they both stood part of the time, and sometimes one of them sat—one or both of them contrived to slip the goods from them, but I did not see them do it—I had walked into the counting-house before them, and took notice whether there was any thing lying about—I saw every thing was perfectly clear, and when I had been there a few minutes I saw there laid on the floor three cards of lace, close to the prisoners, which was the number Miles told me he had lost—I sent for a policeman, and tried to ascertain where the prisoners resided, that we might have had their lodging searched—I asked them where they resided—they offered to pay for the goods, and begged and prayed, and said they would go on their knees if I would excuse them—I am quite certain that is the substance of what was said by both of them.

Cross-examined by MR. PHILLIPS. *Q.* Did both use the same expression? *A.* They used similar—I do not mean that I am giving you the precise words—Miss Stroud, and, I believe, Mr. Miles, were present when they said they would go on their knees—I think the policeman was present, but I am not certain—I saw the ribbon after it was picked up.

Cross-examined by MR. ROWE. *Q.* Where was Miles when you found the lace? *A.* He was either just outside, or just inside the door, but I

think, he was not in the counting-house—the prisoners had not been above five minutes in the counting-house when I found the lace—I was nearer to them than Miles was—if he had come into the counting-house, he must have passed me—I did not see the lace dropped—I took it up—I do not know whether any one called my attention to it, or whether I saw it, and took it—I think I spoke to the prisoner immediately—there might have been five minutes elapse between the ribbon being picked up and my taking up the lace.

SARAH STROUD. I am employed in the shop of Messrs. White and Co. I was called into the counting-house on the 10th of January—I went in with Mr. Hubbard, the two prisoners, and Mr. Miles—Mr. Hubbard accused them of stealing some goods—they said they were innocent, and at the time Williams dropped three cards of lace I saw them on the floor—after the lace was found on the floor, Miles accused Blunden of having a piece of ribbon—she said she was innocent—she moved a little aside, and I saw the piece of ribbon under the place where she was—I am sure that when I went in the ribbon was not there—I did not mark it, but I saw it marked—this is the piece, and these are the three cards of lace—(*examining them*)—the prisoners said they would pay the amount, be it what it would, as they had sufficient money in their pockets—they begged to be forgiven, and wished to go home—Blundell said she was a respectable married woman, and begged to be let go home to her family—they said they were not aware how the goods came into their possession—Mr. Miles was part of the time in the counting-house, and part out—I think he was not in at the time I saw the cards of lace.

EDWARD ELLIOTT (*police-constable L* 111.) I received charge of the prisoners with this lace and ribbon. Both the prisoners said they were innocent—some money was found on them by a woman who searched them—I gave it up to Mr. Baynes, by order of the superintendent—there was 14*l.* 11*s.* 6*d.* found on Williams, and 2*l.* on Blunden.

NOT GUILTY.

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771. CAROLINE HOPKINS was indicted for stealing, on the 11th of January, 1 apron, value 9*d.*; and 1 pair of stockings, value 9*d.*; the goods of Eliza Emmens: also, on the 11th of January, 1 petticoat, value 1*s.* 6*d.*; 1 apron, value 6*d.*; 1 collar, value 6*d.*; 1 cap, value 2*d.*; 1 handkerchief, value 2*s.*; 1 habit-shirt, value 2*s.*; the goods of Mary Walsh: and 1 shawl, value 2*s.*; and 1 handkerchief, value 6*d.*; the goods of Charles Agar, her master; to which she pleaded

GUILTY. Aged 16.—Confined Six Months.

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772. MARY ANN BARNETT was indicted for stealing, on the 31st of December, 1 watch, value 3*l.* 15*s.*; 1 watch-guard, value 2*s.*; 2 rings, value 2*l.*; 1 bag, value 10*s.*; 1 box, value 3*s.*; and 1 cream-pot, value 1*s.*, the goods of George Walker, her master.

GEORGE WALKER. I live in Canterbury-place, Lambeth. The prisoner was my servant—on the 31st of December my wife went out, and the prisoner wanted to go out, to which I consented—when I came home that night, I was informed of something—I went into my bed-room, and missed the property stated—this is mine—(*looking at the articles.*)

Cross-examined by MR. CLARKSON. *Q.* How long had she been in your service? *A.* About three months—I took her without a character,

in consequence of her saying she had not been out before—she is one of thirteen children, and her mother is now confined.

JOHN REDDINGTON. I am a printer, in the employ of Mr. Darling. I know the prisoner—on the 31st of December she came to Mr. Darling's office—I showed her and her sister some printing—we then went to her mother's in the Borough, and stopped till about half-past nine o'clock—when she first came to me she had a parcel, and when she left her mother's she had two parcels—I said, "Allow me to carry your parcels"—she said, "Take this little one"—I took it, and we went on to the Lambeth-road—I was then going to give the parcel to her, and she said "Keep it till I ask you for it"—I went on the Friday to her master's, and she came out—I went again on the Sunday, and she did not come—I went to her mother's—she had not been home—Mr. Walker afterwards came to my master's, and I gave up the parcel to him.

Cross-examined. *Q.* How old are you? *A.* Twenty years—the parcel was in brown paper, tied with a bit of hemp—I never had the curiosity to undo it till after Mr. Walker came to my master's—I did not think it strange that a young girl of about sixteen, in service, should give me a parcel to carry, and then say I might as well keep it—I have known her about two months—I became acquainted with her by meeting her in Lambeth-marsh, one Sunday evening—it was raining very fast—she had no umbrella, and I had one—it was somewhere about eight o'clock at night—I had been at work at my master's till lateish in the afternoon, and I was then going home to Kennington, and met her near the Victoria theatre—I walked with her to her master's door—I think we went past the door—I did not know her master's house then—I went after her again on the following Sunday, and met her near her master's house—I inquired if she was in the habit of coming out on Sundays—I think we went to chapel—I did not actually ask her if she would allow me to visit her, but I said I should come up on the following Sunday—I cannot swear whether she told me her mistress did not allow her to have visitors—I went to her very often at night, up to the gate—I never went inside—I walked about with her—the latest time was half-past nine o'clock—she could not get out later than when she fetched the beer—I do not recollect whether I asked her if she could get out to walk—she said she was going out on the Monday.

Q. Did you want money? *A.* No, I was not in debt—I never told her I was—I did not tell her to bring something with her for me to raise some money on, as I wanted some very bad—I never said that if the things were missed before I could redeem them, I would take the blame on myself—I never said such a word, nor any thing relating to it—I said, "If you come to the office, perhaps I may be able to get out a quarter of an hour before my time"—I told her to come to me, and she came with her sister—I came back with them into the Borough—she had a parcel when she came to the office, and when she came from her mother's she had two parcels—I did not carry the parcel when she went from the office to her mother's.

Q. Did you take her into a linen-draper's shop, and buy her a new gown? *A.* Yes—I then went with her and her sister, to her mother's, and produced the gown to her mother—we played a game or two at cards with some friends there—when we left her mother's we went through St. Thomas's-street; it was then I asked to carry the parcel, and she gave me this one.

Q. Did you stop under a lamp to see what was in the parcel? *A.* No —she stopped when she gave it me—I do not recollect stopping under a lamp—I did not say that the paper the parcel was in was not strong enough, and I would put it into a stronger—I do not recollect that any thing passed about the paper not being strong enough—I walked home with her to her master's, and there I bid her good night—I saw her on the Friday night after —I cannot recollect how long it was after I received the parcel that she was given into custody.

Mr. Walker *re-examined.* I had a great deal of difficulty in ascertaining from the prisoner where Reddington worked—she never told me she gave the property to him—I questioned her about the dress that she brought home —I went and told Reddington's master as soon as I found him out, and Reddington brought the property to me on the Saturday after I had been to his master—I think it was on the 18th of January.

(The prisoner received a good character, and Mrs. Young, of St. Thomas's, Broadway, engaged to take care of her.)

GUILTY. Aged 20.—*Recommended to mercy by the Jury, who expressed their abhorrence of the conduct of Reddington.*—Confined Three Days.

773. WILLIAM CLAYTON was indicted for feloniously forging 3 separate requests for the delivery of goods; to all of which he pleaded

GUILTY. Aged 40.—Confined Two Years.

774. WILLIAM ROWLAND was indicted for stealing, on the 21st of January, 3 pairs of uppers for shoes, value 3*s.*; 4 pairs of boots, value 7*s.* 6*d.*; 3 pairs of shoes, value 3*s.*; and 2 half skins of leather, value 3*s.*; the goods of James Towers, his master.

John Stevens George. I am servant to Mr. James Towers, of Jamaica-level, Bermondsey. The prisoner was employed there—on the evening of the 21st of January he was on the premises—my master stopped him, and desired me to search him—I took this bundle from his pocket, which contained three pairs of upper leathers for shoes—I went with the officer to the prisoner's lodging, at No. 2, Cherry Garden-street, where I found some pieces of leather, which are my master's.

Prisoner. These uppers you gave me in the morning—they were not marked—I asked if you wished to have them back, and you said, "No, never mind"—I put them on a shelf, and when I went home to dinner my wife said, "Give me more binding"—I put these into my pocket to take home—I never intended to steal them. *Witness.* It is not so—my master has every thing entered previous to leaving the premises—the prisoner's wife had eight pairs by her at that time—this property found at his lodging he had no right to have—I remember my master buying twenty dozen of these skins—they were given to me, and I gave them out, as they were wanted to be cut up.

Prisoner. They never belonged to Mr. Towers—I bought them of a manufacturer who was going to Wales. *Witness.* I can swear they belong to Mr. Towers—I found this sole in his lodging, which has our mark on it, and here is the stamp it was marked with.

James Bish (*police-constable M* 216.) I went to the prisoner's lodging, and found these things there, and twenty-six duplicates, seven of which relate to boots and shoes, which I found at the pawnbroker's.

Prisoner's Defence. A number of them were undone at the heels—I

took them home for my wife to mend; I was in distress, and she pawned them, as I had an execution against me.

MR. JONES *re-examined.* He did tell me there was an execution in his house for debt.

GUILTY. Aged 48.—Confined Six Months.

Before Mr. Sergeant Arabin.

775. EDWARD GEORGE NASH and CHARLES BENNETT were indicted for stealing, on the 23rd of January, 1 funnel, value 6*s.*, the goods of George Castle, the younger, in a vessel in a port of entry and discharge.

JAMES MURPHY. I am ship-keeper of the brig *Deborah*, which was lying in the Surrey canal. On the 23rd of January I lost a funnel from the deck, which belonged to George Castle, the younger—this is it—(*producing it*)—I had seen the prisoners about, but they had no right on board.

WILLIAM FALKENER. I was employed on board the *Nereus*, which was the next vessel but one to the *Deborah*. On the 23rd of January I saw the prisoner Bennett on board the *Deborah*—he went aft, and knocked his hand on the companion—Nash was on shore—Bennett spoke to him, and told him the companion was locked up.

CHARLES JOHNSON. I am an officer. The ship-keeper complained of having lost this funnel at the dock-gate, and I went after the prisoners—I saw them in the boat—they went to the opposite side of the dock, and there escaped me—I went into the street, and apprehended Nash—he said, "It was not me"—I said, "Whether it was you or not, you must go with me"—in going up the street we met Bennett—he said, "What do you want with me?"—Nash said, "He wants you respecting the funnel you stole from the old lame ship-keeper"—in going along Nash said he would show me where the funnel was—Bennett said, "You can't, for I have removed it"—I left Nash in custody, and went with Bennett, and found it in Charlotte-row in a dust-bin—the canal is a dock of entry and discharge.

Bennett. I throw myself on your clemency—it is the first act of dishonesty I ever was guilty of.

(Nash received a good character.)

NASH—GUILTY. Aged 16. } Of Larceny only.—*Recommended to*
BENNETT—GUILTY. Aged 16. } *mercy.*—Confined One Month.

Before Mr. Common Sergeant.

776. FREDERICK SEILER was indicted for embezzlement.

MR. PRENDERGAST *conducted the Prosecution.*

JOHN STRIDE RIPLEY. I live at Wandsworth, and am a tallow-chandler. On the 19th of November I bought two dozen of patent palm wax candles at Blundell's manufactory, at Wandsworth—the prisoner served me—I paid him 24*s.* for them—this is the bill and receipt.

Cross-examined by MR. PHILLIPS. *Q.* Are you acquainted with the prisoner? *A.* Yes—I have found him highly respectable—he is a German, I believe, and speaks English very imperfectly.

GEORGE DIXON LONGSTAFF. I am superintendent of Messrs. Henry Blundell and Co.'s manufactory, at Wandsworth. The prisoner was their foreman, and lived on their premises—it was his business to sell goods, and receive the money for them, and he was to account to me for it on the Saturday—sometimes he handed money to me on the day he received it, but always on the Saturday he accounted to me for what he had got that

week—I was at the manufactory on the 19th of November—I believe I saw the prisoner there—he did not account to me then, or at any other time, for 24*s.* received from Mr. Ripley—he kept a book in which it was his duty to enter all the goods that went out, and if they were paid for, he was to enter them as paid—I have the book here—(*producing it*)—here is an entry to Mr. Ripley on the 12th of November, and another on the 20th of November, but this 24*s.* is not entered, and he never paid it to me—this is the book in which he ought to enter all candles that went out, and there is no entry of these.

Cross-examined. *Q.* This young man is a Prussian? *A.* I believe he is from some part of Germany—he does not speak English very imperfectly—when there has been a bill to make out he has come to me to write down English names for him—I think it was Professor Rungay who brought him over—I am not aware that the prisoner was in possession of the secret by which these particular candles were made—he never imparted any secret to me—there is no secret but what is published, we work under a patent.

Q. Has not the prisoner paid you money which it turned out he had not received? *A.* I believe he has in one instance—I did not know it at the time, but I know it now—he paid me money on account of a person—I saw the person afterwards, and he said he had not paid it—when the prisoner was in prison two persons came to the office, and made a search while I was there—they searched a certain cupboard, and there was found 5*l.* 10*s.* in money laid up there—that was more than sufficient to have liquidated all the indictments against him—I never asked him to account for these individual sums—he had been about two years in the service to my knowledge, and I believe altogether about three or four years.

COURT. *Q.* On one occasion he made a mistake against himself, did you ever give him an opportunity of explaining this transaction? *A.* I certainly did not ask him specifically to explain why he had not accounted for this sum on the 19th of November.

MR. PRENDERGAST. *Q.* Just tell us the particulars of finding this money? *A.* Daniel Staples came up to me in the street—he delivered me a message, and I turned back with him—(the prisoner was at that time committed)—I went to the office in the factory with Staples—Pullen was called, and he and Staples looked in the office, and found a paper tied with tape, containing five sovereigns and a half—Staples is acquainted with the prisoner.

DANIEL STAPLES. I went to Mr. Longstaff, and with him I went to the office in the factory—I found the parcel containing the money—the prisoner had told me where the money would be found, and it was done up in a bundle—Mr. Pullen has got it—it was on the top shelf, behind the upright—Mr. Pullen got up and took it down—I could not see it at first—the prisoner gave me directions to take it to my master—he was taken into custody on a Thursday, and on the Monday after I went to the factory, and found this money—I do not know whether his wife had access to the office—she lived on the premises till the last day or two—the counting-house is on the opposite side to her house—I never saw her having any thing to do with the counting-house.

Cross-examined. *Q.* How long have you been in the employment of the firm? *A.* Nearly four years—I have known the prisoner three years and a half—he has had a great deal to do in the way of business, and a great deal of money to receive—he was always very strict with me, and very honest.

COURT. *Q.* Was the cupboard locked in which the money was? *A.* I did not take notice.

GEORGE LONGSTAFF *re-examined.* The prisoner's wife remained in her usual place of abode on the premises—the key of the counting-house was usually laid on the ledge above the door—it was kept in the prisoner's house, and he had the charge of it—when he went to prison I took the key myself, but it was sometimes left in the door, and I sometimes went down the yard for an hour, and during that time any one on the premises had the opportunity of going into the counting-house—the top shelf in the cupboard was not a place for money at all—I did not find the parcel—I was in the room when they opened the cupboard-door, and I did not see the parcel—it was not the business of the prisoner to keep such a sum of money as that.

JAMES WEBB (*police-constable V* 134.) I was sent for to apprehend the prisoner—I told him he was charged with embezzlement—he said he knew nothing of it—he was taken before the Magistrate.

COURT *to* DANIEL STAPLES. *Q.* You saw the prisoner, did you, on the subject of this money? *A.* Yes—he told me to tell master that he wished to see him about this money—I went to Queen-street, and told master, and I understood master would not go—the prisoner said he wanted to tell him where the money laid—he said there was 5*l.* 10*s.* belonging to Mr. Longstaff, on the top shelf in the counting-house—I went and met Mr. Longstaff in the lane—he went back with me, and we found the money.

JOHN BARNES (*police-constable V* 75.) I took the prisoner after he was committed—he said he thought his case was a very hard one, as he was quite ignorant of any injustice towards his employer—if he had made a mistake, it was no more than he had done before, and, if so, the candle money must be with the soap money—he said at the Magistrate's that he was allowed to serve soap to persons on the premises, and that money he had not accounted for, it was still in his possession.

NOT GUILTY.

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777. FREDERICK SEILER was *again* indicted for stealing, on the 28th of December, 1 half-crown, 7 shillings, and 4 sixpences, the monies of Henry Blundell and others, his masters.

MR. PRENDERGAST *conducted the Prosecution.*

JOHN FUTER. I am a labourer in the service of Messrs. Blundell. On the 28th of December, I received from Mr. Richard Sarjeant 11*s.* 6*d.* for candles—I gave that money to the prisoner, who was against the counting-house door—I am sure I handed it over to him, and told him it was money from Mr. Sarjeant—he said nothing particular—I do not know what he did with it—there were seven shillings amongst it.

GEORGE DIXON LONGSTAFF. The prisoner was in the employ of Messrs. Henry Blundell and others—it was his duty to pay me the money he received—on Saturday, the 28th of December, he did not account to me for this 11*s.* 6*d.*—I do not recollect his accounting for any money that day—here is the book in which he entered what goods went out, and he ought to record here what money he received for candles, and here is no entry on that day—here is another book in which he ought to put down what he received for soap—when the servants received money, it was their business to give it to the prisoner at the time, and he should hand it to me—he

should have entered the money and goods here—here is a soap account, which is not settled—that account began before the 28th of December—the last soap account that was settled was on the 23rd of November—after he went to prison there was a sum of 5*l.* 10*s.* found—that was more than the money that was due from him for the soap he had sold—there was one cwt. of soap, which he had sold for 7*d.* a lb., that would come to about 3*l.* I believe—the soap account was not settled—that and the candle account were kept distinct—they were not entered in the same book—the 10th of January was the first time I had reason to suspect he had done any thing dishonest, and I asked him if Mr. Sargeant had been lately to get candles—he said, "No"—I looked in the book, and found the last entry was in October—I asked the prisoner if he had had any candles since October—he said, "No"—I said, "Are you sure you have made no mistake, and there is no forgetfulness in the matter?"—he said, "Certainly not"—I am certain I asked him if he had received money for candles from Mr. Sargeant during the month of December, and he said, "No."

Cross-examined by MR. PHILLIPS. *Q.* Was he to have received from your firm, at any time, a sum of 200 dollars? *A.* Not to my knowledge—the first I heard of that was when it was mentioned by a person a few days ago—the prisoner once informed me that Dr. Rungay had promised him a gratuity, but I do not recollect that he mentioned any sum—I do not think he mentioned the word "dollars"—he might have done so—it was not a remarkable circumstance to me—I had no interest in the matter.

NOT GUILTY.

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778. FREDERICK SEILER was *again* indicted for stealing, on the 8th of January, 11*s.*, the monies of Henry Blundell and others, his masters.

WILLIAM ELLIS. I am in the employ of Messrs. Blundell. I sold a packet of a dozen pounds of wax candles to Mrs. Gibson—I do not know the day—I received 11*s.* for them, and gave the money to the prisoner as he was standing against the office—they were all shillings.

MARTHA GIBSON. I purchased these wax candles on the 8th of January, at the factory of Messrs. Blundells—I paid William Ellis 11*s.* for them.

GEORGE DIXON LONGSTAFF. The prisoner did not account to me for this 11*s.* received on the 8th of January from Mrs. Gibson, and here is no entry of it in the book—the Saturday after the 8th was on the 11th of January, I received 11*s.* of him that day for candles which he said were sold that day to Mr. Ripley, and I asked if he had any other money for candles that week—he said, "No"—I never said any thing to him about this sum of money as I had no suspicion of it—he was apprehended on the Thursday afterwards.

NOT GUILTY.

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779. THOMAS STROUD was indicted for stealing, on the 17th of January, 45 yards of cloth, value 5*l.*; and 10 yards of linen cloth, value 1*l.* 15*s.*; the goods of Thomas Brooks and another, his masters; to which he pleaded

GUILTY. Aged 27.—Confined One Year.

Before Mr. Recorder.

780. GEORGE HAMMOND was indicted for a misdemeanor.

MESSRS. CHAMBERS *and* SHEA *conducted the Prosecution.*

ELIZABETH MILLARD. I am servant to Mr. Ferguson, of Albion-ter-

race, Wandsworth-road, a bookseller. On the afternoon of the 23rd of January the prisoner came into the shop, and asked for a Valentine—I served him with one—he put a 5*s*. piece on the counter—my mistress came in and took it up—the prisoner received 4*s*. in change—when he was gone my mistress showed me the crown-piece—I went out to seek for the prisoner, but could not see him—my mistress kept the 5*s*. piece.

Cross-examined by MR. BALLANTINE. *Q*. It was rather early to apply for an article of that kind? *A*. Yes—I had never seen him before—he had a flannel jacket on and an apron round his waist—I noticed his dress altogether—I noticed his face because he had his eyes more on the ground than on any thing else—he looked at another valentine with a rose, but that would not do because it was 1*s*. 6*d*.

MR. SHEA. *Q*. Did he look at several? *A*. Not a great many—I do not suppose he was there more than ten minutes—I have not the least doubt that he is the person.

MARY FERGUSON. I am the wife of Charles Ferguson, who keeps that shop. I came into the shop while the prisoner was there—it was quite light—it was a little after three o'clock—I received the crown-piece, and gave the change—he left the shop directly, and immediately he left I discovered that the 5*s*. piece was bad—I put it into my apron pocket, and kept it separate from all other money—I gave it to Emmerson the policeman on that day week—it was marked in my presence—I am certain it was the one I received from the prisoner—I had no other.

Cross-examined. *Q*. Had you seen him before? *A*. No—he looked down on the floor—he did not look us in the face—he had bought the valentine before I came in—he had a hat on, and was dressed in a flannel jacket—I saw him again on the following week—I had given a description of him as having a downcast look, and I described his dress.

ELIZABETH MILLARD *re-examined*. I told the policeman he was dressed in a flannel jacket, and had an apron round his waist—I did not say any thing about his having a downcast look.

THOMAS EMMERSON (*police-sergeant V* 16.) Between three and four o'clock in the afternoon, on the 23rd of January, I was in Lark Hall-lane, and saw the prisoner, and a female with him, going towards London, away from the prosecutor's shop—on the 30th of January I was near the Vauxhall gate, and saw the prisoner and two more persons in custody, one of whom was the female I had seen the prisoner with on the 23rd—I went with the prisoner to Mr. Ferguson's shop—I saw Mrs. Ferguson—she gave me this crown-piece—I went with the prisoner to the station-house at Clapham, and found on him 1*s*. 6*d*., and a new pair of braces were found in his hat, which are worth about a shilling.

Cross-examined. *Q*. Had Mrs. Ferguson previously given you a description of the man? *A*. She sent the description by another sergeant to the station-house.

COURT. *Q*. What description had been left? *A*. A young man, with a flannel jacket, and an apron, and a pencil sticking out of his pocket—the prisoner was so dressed when I saw him, and also when he was taken, and he had a pencil in his pocket, and part of it stuck out.

ELIZABETH JANE DITTON. I am the daughter of Benjamin Ditton, a cheesemonger, in Lambeth New-road. On the 25th of January the prisoner came and bargained for a piece of pork—I weighed the pork—it came to 2*s*.—I told him so, and he threw down a half-crown—on taking it up I

said it was a bad one—he said he did not know it, and he held his hand out for me to give it him back—I told him to go about his business, and he went directly—I put the half-crown behind me on the cheeses—I kept it separate till the 30th of January, and then gave it to the policeman—I am sure it was the same that I received from the prisoner—he was in the shop about three minutes—it was between seven and eight o'clock in the evening—I had a distinct sight of him, so as to know him again—I am certain he is the man.

JOHN LAING (*police-constable N* 70.) In consequence of information I went to Mr. Ditton's shop, on the 30th of January, and received this half-crown from Miss Ditton—on the next morning I had the prisoner and two more persons in custody—I took them to Mr. Ditton's shop, and Miss Ditton identified the prisoner.

Prisoner. She said she was not sure I was the person. *Witness*. No—she said the man in the flannel jacket was the man.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint. These are both counterfeit.

GUILTY. Aged 23.—Confined Twelve Months.

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781. CHARLES WARE and NATHAN NATHAN were indicted for stealing, on the 28th of January, 2 hats, value 10*s*., the goods of Charles Saunders, the master of the said Charles Ware.

CHARLES SAUNDERS. I am a hatter, and live in Blackman-street, Southwark. Ware was in my service—these two hats are mine, and are worth 10*s*.—on the morning of the 28th of January Willy came to my shop, and from what he said I asked Ware if he had sold any hat or hats that morning—he said no—I repeated the question, and he still denied it—Willy took Ware into custody.

Cross-examined by MR. PHILLIPS. *Q*. What kind of hats are these? *A*. One is beaver and one is silk—I have not put too high a price on them—some silk hats are sold very cheap—I have not known them sold at 18*s*. a dozen—I would not sell these for less than 5*s*. a-piece—they are finished and fit for sale—my bills are headed, "Salter and Co.," which is the name that the shop was established under, and I still retain it—Salter has nothing to do with the concern—it is my business—I have prime waterproof beaver hats at 2*s*. 9*d*. a-piece, that is a fact, and gossamer hats at 3*s*. 9*d*., 4*s*. 9*d*., 5*s*. 6*d*., and 6*s*. 6*d*., and upwards of 2000 cloth caps, beginning at 4*d*.

Cross-examined by MR. CLARKSON. *Q*. I believe Ware is young? *A*. Fourteen years, I believe—I gave him 5*s*. a week.

JOSEPH WILLY. I live in John's-place, Lant-street, and am constable to the Society for preventing Cruelty to Animals—I stationed myself in Mr. Rook's the undertaker's shop, which is nearly opposite the prosecutor's, and about a quarter before eight o'clock in the morning, on the 28th of January, I saw the prisoner Nathan—he walked backwards and forwards near the prosecutor's shop, before the shop was opened—he then crossed, and went over again near the shop, Ware came to the door, and gave him a nod, and he then went into the shop—he was in about half a minute—he then came out with a bag—he twisted it and put it on his arm—I took him with it, and asked him what he had got there—he said, "Old clothes"—I said, "I think you have got some hats here"—he said, "Only some old hats"—he took out an old silk hat, and put a handkerchief over these two hats, which were in paper—I said, "What have you here?"—he said, "One

or two old hats"—I said, "Are not these new ones?"—he said yes they were, and he had bought them—I said, "Did you buy these at Salter's?"—he said, "Yes"—I took him to the station-house, and went to the shop—I asked Ware if he had sold any hats that morning—he said, "No"—I said, "Where is your master?"—he went behind the counter, opened a door, and went down, and his master came—I asked him if he was aware of a person coming of a morning and taking two or three hats away—he said no—I produced to him these two hats, which I had found in Nathan's bag.

Cross-examined by MR. PHILLIPS. *Q.* When you asked Nathan what he had, did he not say he had bought them of a boy for four shillings? *A.* He said at first that he had nothing but old clothes in his bag—he afterwards said he gave four shillings for them to the boy—I was in the police about eight years—it is about two years since I left it—I was discharged—I was reported as being the worse for liquor—I do not know of any other complaint against me—I do not say that I never had any other report—I was reported more than once for being the worse for liquor, and I might be behind time once or twice—I have had no complaint against me in the Society for which I am now employed.

THOMAS WILLY. I am the son of Joseph Willy. I had seen Nathan a good many mornings going to the prosecutor's shop, and told my father—he told me to watch more closely how he went in, and on the 20th I saw him go in with an empty bag, and come out with some hats in it—on the Wednesday he went in, and came out with the appearance of having something in the bag, and on the Thursday the same—I was watching on the morning in question, and saw him walk up and down with something in his bag, and then go into the shop.

Cross-examined. *Q.* You were not before the Magistrate to tell all this? *A.* No—on the 28th of January I was outside cleaning the brass-work of my master's shop—when the bag came out, it had the appearance of having two hats in it—I could see the shape of them—the bag was not tied, it was twisted, and thrown over his shoulder—I could not see the hats, but I saw the shape of them—I was subpœnaed to come here—I told my father of this before I got the subpœna—I was not sent for to go before the magistrate—my father knew that I had seen this.

(William Solomon, a grocer, of Union-street, Borough; and Charles Hunt, of William-street, Borough, gave Ware a good character.)

(Eleazar Hart, a rag-merchant, of White Lion-street, Norton-falgate; Thomas Coombs, a baker, of Wellington-terrace, Waterloo-bridge; Moses Lyon, of Ebenezer-square, Houndsditch; John Jacobs, a fruit salesman, of Covent-garden market; George Smith, a boot-maker, of Star-court, Fenchurch-street; Joshua Joshua, a butcher, of Middlesex-street, Whitechapel; John Warminster, a tailor; — Le Sage, a plumber, glazier, and painter; Benjamin Myers, a tailor, of High-street, Southwark; Moses Harris, a dealer in unredeemed pledges in Long-lane; Daniel Haller, a cheesemonger, of Wellington-terrace, Waterloo-bridge; Thomas Pummell, a baker, of Middlesex-street, Whitechapel; Abraham Jacobs, a fruit-salesman, of Covent-garden market; Barnet Temple, a slop-seller, of Postern-row, Tower-hill; and Thomas Friend, boot-maker, of Union-street, Spitalfields, gave Nathan a good character.)

WARE—GUILTY. Aged 13.—*Recommended to mercy.*—Confined Three Months.

NATHAN—GUILTY. Aged 30.—Transported for Seven Years.

Before Mr. Common Sergeant.

782. WILLIAM BROWN was indicted for stealing, on the 3rd of February, 2¼lbs. weight of tobacco, value 10*s*., the goods of Maria Rowe Lack.

MARIA ROWE LACK. I am a widow, and live in Tooley-street, I keep a tobacconist's-shop—on the 3rd of February I was coming out of the back-kitchen into the shop—I saw the prisoner reaching over the counter to the window where the tobacco and cigars were—he ran away—I followed him a short distance, and raised an alarm—I missed a roll of tobacco from the window, weighing 2¼lbs., which I had seen not three minutes before I saw him take it—this is it—(*looking at it*)—I can swear to it.

CHARLES NICHOLLS. I am assistant to Mr. Byles. Last Monday, about three o'clock in the afternoon, I was at our door, and heard a cry of "Stop thief"—I ran and stopped the prisoner, with this tobacco in his hand.

GUILTY.* Aged 20.—Transported for Seven Years.

ADJOURNED TO MONDAY, MARCH 2ND, 1840.

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W. Tyler, Printer, 5, Bolt-court, London.

CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. FIFTH SESSION.

A star (*) denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk (†) that a prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, March 2nd*, 1840.

First Jury, before Mr. Recorder.

783. JOHN MATTHEWS was indicted for assaulting a girl under ten years of age, with intent, &c.—2nd COUNT, for a common assault; the prisoner pleaded

GUILTY to 2nd COUNT. Aged 31.—Confined Six Months in the Penitentiary.

(MR. CLARKSON, for the Prosecution, offered no evidence on the First COUNT.)

784. JOHN NOYES was indicted for stealing, on the 25th of January, 1 coat, value 42*s*., the goods of Donald Robertson.

DONALD ROBERTSON. I live in Francis-place, Westminster, with my mother, who is a laundress. On Saturday morning, the 25th of January, I was driving my mother's cart, in Broad-street, City, delivering linen at the City of London Club-house—I was absent from the cart about ten minutes, and my attention was called to my coat, which I left in the cart—Sarah Knight was there, and asked me, in the prisoner's presence, if I missed my coat—I said, "Yes"—she said, "That is the young man that took it"—he said he had never seen it—he was given into custody.

SARAH KNIGHT. I live in Camomile-street, with my husband. On the evening of the 25th of January I was in Broad-street, about twelve yards from the club-house—I noticed a cart at the door, and saw the prisoner get up on the step, and take the coat off the seat—it was rolled up—he ran across the road, and gave it to another lad—I went after him—he was apprehended without my losing sight of him—he turned up Winchester-street, and asked me if that was Winchester-street—I followed him to Long-alley, and he then asked me what I was following him for—I said he had taken a coat off a cart in Broad-street—he said he had never been in Broad-street, and did not know where it was, and he would go back with me, which he did—I waited by the cart about ten minutes—Robertson came out, and I asked if he had lost his coat—he went to the cart to look for it, where I had seen it taken from—I am certain the prisoner is the person who took it.

HENRY WILSON (*City police-constable, No.* 34.) Robertson gave the prisoner into my charge—I was fetched out of Threadneedle-street to take him, by the porter of the club-house.

(*The prisoner put in a written defence, declaring his innocence, and stating that the witness must be mistaken, in supposing him to be the person; that he was proceeding to Winchester-street in search of a situation when he was stopped.*)

GUILTY.† Aged 18.—Confined Six Months.

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785. RICHARD BUTTERFIELD was indicted for stealing, on the 15th of February, 2 pewter pots, value 1*s.* 6*d.*, the goods of John Thomas Hilliard; and 1 pewter pot, value 2*s.*, the goods of James Law; to which he pleaded

GUILTY. Aged 21.—Confined Three Months.

---

786. JAMES WHITAKER was indicted for stealing, on the 10th of February, 1 handkerchief, value 3*s.*, the goods of William Clarke, from his person; to which he pleaded

GUILTY. Aged 19.—Confined Six Months.

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787. GEORGE WILLIAMS was indicted for stealing, on the 14th of February, 76 yards of carpet, value 12*l.*, the goods of Richard Perkins, in his dwelling-house.

RICHARD PERKINS. I am an upholsterer, and live in Upper-street, Islington. On the morning of the 14th of February, my lad gave me information—I went to the station-house, and found a roll of carpet—this is it—(*looking at it*)—it is mine.

SAMUEL REEVES. I am in the prosecutor's service. On the morning of the 14th of February, about nine o'clock, I was coming down stairs, and saw two men in the lobby of the shop—one man lifted up a roll of carpet on the shoulder of the prisoner—their backs were towards me—they went out together, the prisoner carrying the carpet—I came up to him three doors off—the other man went away—I followed, and saw the prisoner stopped by a policeman, about twenty doors off, without losing sight of him—the lobby is within the outer door of the shop—the carpet was about six feet within the outer door.

EDMUND CHICHELEY (*police-constable N* 199.) I stopped the prisoner about twenty doors from the shop—I saw the carpet lying down—Reeves was pursuing him.

Prisoner's Defence. I was very much in distress, and labouring under disease at the time, which threw me out of employ; I was obliged to resort to something, as I could not get into an hospital.

GUILTY of Larceny only. Aged 21.—Confined Nine Months.

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788. MARY NATHAN and MARY NORRIS were indicted for stealing, on the 1st of February, 1 purse, value 1*s.*; 4 half-crowns, and 5 shillings; the property of Patrick Dooley, from the person of Grace Dooley.

GRACE DOOLEY. I am the wife of Patrick Dooley, and live in Golden-lane. On the night of the 1st of February I went to a butcher's shop in Whitecross-street and bought a leg of mutton, which came to 5*s.*—I changed a sovereign, and got 15*s.* change—I put the money into my purse, and put it into my pocket—I then went to a green-stall—the prisoners were standing there, close by my side—I purchased a bundle of turnips there and paid 1½*d.*, which I had in my pocket—I took the 1½*d.* out of my pocket—the purse and money were in my pocket then—I then bought some parsnips, and when I came to pay for them I missed my purse—I said,

and took him into custody—the prosecutor had given me a description of "My G—d, I am robbed of my purse and money"—the prisoners ran away directly I said so—I went down to Whitecross-street, but could not see them—I afterwards returned to the green-stall, and requested the green-grocer's wife to go along with me—I afterwards saw the prisoners in Whitecross-street, and they were taken into custody by an officer—it was a long silk purse that I lost—it contained four half-crowns, and five shillings.

Cross-examined by MR. PAYNE. *Q.* You have not seen the purse since, have you? *A.* No; it has not been found—I was away about half an hour from the green-stall—I got Mrs. Teagle to go with me—the prisoners were taken into custody about the middle of Whitecross-street—the green-stall was at the top of Whitecross-street, near Old-street—the prisoners were standing up behind two women when the officer took them—I am quite sure when I put my hand into my pocket for the 1½*d.* to pay for the turnips, that my purse and money were there—when I was dealing for the parsnips Mr. Teagle was on my right-hand, and his wife and the two prisoners on my left—Mrs. Morris, a friend of mine, was along with me—during the half-hour I went away, I did my best to find them—I did not go to the butcher's shop then, I did afterwards—the policeman took me there to see whether they had given me the money or not—there were not many people about that night—it was Saturday night, and about half-past ten o'clock—I did not accuse any body else of having taken my money.

MARGARET TEAGLE. I am the wife of William Teagle, of No. 4, Turk's Head-court, Golden-lane. We keep a green-stall—on Saturday night the 1st of February, between ten and eleven o'clock, Mrs. Dooley bought a bundle of turnips of us—she paid my husband 1½*d.*—she took the money from her right-hand pocket—when she paid for them she asked for some parsnips—at the time she was bargaining for them she kept her gown up in her left-hand—I saw the two prisoners—Norris was bargaining with my husband for some broccoli sprouts—Nathan stood next to Mrs. Dooley, and Norris next—I saw Nathan's hands in the prosecutrix's pocket, and when she went to pay for the parsnips she exclaimed, "Good G—d! I am robbed"—the prisoners went away directly without purchasing the brocoli sprouts—I did not go with Mrs. Dooley the first time—she went by herself first—she came back and insisted on my going with her, which I did—we went to the bottom of Whitecross-street, and as we came back again we saw the two prisoners behind two women—I pointed them out to the officer—Nathan said, "See, I am *done*," and Norris said "Good G—d! my child."

Cross-examined. *Q.* Had he taken them into custody at the time she said that? *A.* No—he was in the road close to them, going to take them—I had never seen them before—I am sure they are the same persons—I never took my eyes off Nathan—I saw her hand in the pocket—I could not put my hand on her because I was on the other side of the stall—I did not tell Mrs. Dooley of it till they went away—my husband was standing at the other end of the stall, attending to one of the prisoners—I could not get across the place to tell him—they went away the moment the prosecutrix said she was robbed—I am sure Nathan said, "See, I am *done*,"—I cannot be mistaken in the words—Mrs. Dooley came back in about half-an-hour to the best of my opinion—when the prisoners were

taken they were about the middle of Whitecross-street—my stall was at the top, just upon Old-street—they had been and purchased some things—they had nothing with them when at my stall.

CHARLES BEAUMONT. I am a policeman. On the night of the 1st of February, between ten and eleven o'clock, I was on duty in Whitecross-street—Mrs. Teagle gave me some information, in consequence of which I went with her and Dooley into Whitecross-street—when we got into Playhouse-yard Mrs. Dooley pointed out the two prisoners to me, both together—I went up to them, and seized them both by the arms—I had said nothing at that moment—Nathan said, "We are *done*, see"—Norris said, "Oh my child!"—I then told them what they were charged with, and they denied it—Norris had a basket with her, containing various small articles of grocery.

HARRIET HAYWOOD. I am female searcher at the station-house, and the wife of John Haywood. On Saturday, the 1st of February, the prisoners were brought in custody to Featherstone-street station-house—I searched them, and found two half-crowns and 2½*d.* in Norris's bosom, and 2½*d.* in Nathan's bosom—she said that was all she had—on searching further she dropped a shilling—she said "There is another shilling"—I then told her I wished to look into her hand—she said she had got no more—I said, "I must see," and she had a half-crown in her left hand—she said a gentleman gave it to her.

NATHAN—GUILTY. Aged 18.—Confined Six Months.
NORRIS—NOT GUILTY.

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789. JOHN BOYLE was indicted for stealing, on the 16th of February, 1 handkerchief, value *5s.*, the goods of Frederick Simmonds, from his person.

FREDERICK SIMMONDS. I am a porter, and live in Green-street, Leicester-square. On the night of the 16th of February I was in Beech-lane, Barbican—I felt something at my pocket, turned round, and saw three persons behind me—the prisoner was one—he was nearest to me—he was going to step off the gutter into the street, when I turned round and charged him with stealing my handkerchief—he said he had not—I renewed the charge, and he then drew it from his pocket and gave it to me—this it—(*looking at it*)—I told him I would give him in charge—he then ran away up a court—I followed him nearly to the door—as he was going up the court he hallooed for his father several times, and he was let into a house—there are only two houses in the court—I gave information to the policeman, who went to the first house—there were only two children there—he then went to the other house, and found the prisoner sitting upstairs with his jacket and cap off—when he put them on I knew him again—it was a velveteen jacket—I am sure he is the same person.

Cross-examined by MR. PAYNE. *Q.* Had you ever seen him before? *A.* No—I could not have sworn to him without his jacket and cap—when he put them on I knew him to be the same person—it was on Sunday evening, about ten o'clock—there were several people passing—I was coming from Finsbury-square to Smithfield—I am quite sure this is my handkerchief—here is my name on it—I have no doubt at all of the prisoner.

THOMAS FOWLES (*City police-constable, No.* 306.) The prosecutor called my attention to a house in Foundry-court—I went to one house, and only found two little girls there—I went to the other, found the prisoner,

his dress—he put his jacket on—there was a man and woman in the room with him, who I do not know.

(The prisoner received a good character.)

GUILTY. Aged 19.—Confined Six Months.

790. JOHN SMITH was indicted for stealing 1 handkerchief, value 3*s.*, the goods of Abraham Hort, from his person; to which he pleaded

GUILTY. Aged 17.—Confined Six Months.

791. HENRY MOSS was indicted for stealing, on the 25th of March, 1839, 102lbs. weight of gold dust, value 5000*l.*; 2 wooden boxes, value 2*s.*; and 2 tin boxes, value 2*s.*; the property of James Hartley and others; to which he pleaded

GUILTY. Aged 42.—Confined One Day.

(There were other Counts varying the manner of stating the charge.)

792. GEORGE SAMS and GEORGE CANNON were indicted for stealing, on the 13th of February, 3 shirts, value 3*s.*; 4 yards of flannel, value 6*s.*; and 1 shawl, value 1*s.*; the goods of Ann Sidell.—2nd Count, stating them to be the goods of Thomas William Gent.

Ann Sidell. I am a widow, and keep a lodging-house in Friday-street, Cheapside. The prisoners lodged with me at different times for about two months—in the room where Cannon slept there was a box belonging to Mr. Thomas William Gent, containing clothes and books—it was left in my care—on the 13th of February the prisoner Sams was in Cannon's room in the evening for two hours—the box was kept in the room Cannon slept in—I heard a noise of knocking, as if with a hammer, while they were in the room—Noble, a policeman, lodges in the same room with Cannon—he came home on the 14th—in consequence of what he told me I went up stairs into Cannon's room, and Noble lifted up the lid of the chest—a gimlet and hammer laid there, the hammer belonged to me, the gimlet to Sams—I keep the hammer generally in the skullery, at the back of the kitchen—I directed my daughter to mark some shirts, shawls, flannels, and a handkerchief, which were still in the box—shortly afterwards the prisoner Sams went up into that room—he stopped there about half-an-hour—when he came down I desired my daughter to go up stairs to see if anything was gone—these are part of the articles—(*looking at them.*)

Sams. I took the hammer up to knock a pannel in the wainscoting of the room, which I was obliged to take out, to get Cannon from one bed into another, and the gimlet I had to put the nails into the piece of wood again.

John Orbell. I am shopman to Daniel Reeve, a pawnbroker, in Red-cross-street. On the 16th of February, about four o'clock in the afternoon, I saw the prisoner Cannon in the shop, in company with Sams, who stood behind him—Cannon pledged these three flannel shirts, in the name of John Gent, for 6*s.*—this is the counterpart of the duplicate I gave.

Eliza Ann Sidell. I live with my mother. These articles are the same I marked in Mr. Gent's chest, on the morning of the 14th—I missed them about five minutes after Sams went out—I had seen Cannon about five minutes before Sams went out, in the kitchen—he was not out when I marked the things.

James Stockford (*City police-constable, No.* 326.) On the 14th of February I was sent for to Mrs. Sidell's house, and in consequence of what she said I waited in the kitchen for the return of the prisoners—they came in together, about a quarter past five o'clock—I told Mrs. Sidell to tax them

with this, in consequence of what I had seen in the box—she did so—they denied it—I searched Sams, and in his watch-fob I found these four duplicates, one of the shirts now produced, and the flannels—I then went with Mrs. Sidell's daughter to different pawnbrokers, and found the things produced—I found a key on Sams—I searched his box, and found a screw-driver and a lock, which appeared to have been taken off Mr. Gent's box—another lock was placed on—this is the key of the lock now placed on the chest.

SAMS—GUILTY. Aged 19.
CANNON—GUILTY. Aged 32. } Transported for Seven Years.

NEW COURT.—*Monday, March 2nd,* 1840.

Fifth Jury, before Mr. Sergeant Arabin.

793. DANIEL IVES was indicted for embezzlement.

MR. DOANE *conducted the Prosecution.*

RICHARD JOHN ROWAN. I am clerk to Messrs. Arrowsmiths, upholsterers, of New Bond-street. On the 3rd of August the prisoner called, and I paid him *6l.* 12*s.* on account of his master, Mr. Whittingham—he wrote a receipt for it in my presence.

ROBINSON JACKSON. I am an upholsterer, and live in New Bond-street. On the 10th of August I paid the prisoner 11*l.* 6*s.* on account of Mr. Whittingham—he gave me a memorandum for it—on the 9th of November he came again, and I paid him by a cheque *6l.* 11*s.* 6*d.* for his master.

JOSEPH WHITTINGHAM. I am a lace and fringe manufacturer, and live in West-street, Long-acre. The prisoner was in my service nearly two years—it was his duty to collect money and pay it to me—he has not accounted to me for either of the sums mentioned by the two witnesses—he never gave any account of them till I found he had received them, which was in consequence of information I received by a letter in January.

COURT. *Q.* What was his mode of accounting to you? *A.* As soon as he came home, if it was in the middle of the day—I had never spoken to him about either of these sums, except about two months before January I told him to go to Bailey and Jackson's, and he said it would be more to my advantage to let the account go a twelvemonth, than pushing it at a short time, as they were beginners.

Cross-examined by MR. BALLANTINE. *Q.* How long have you been in business? *A.* About eleven or twelve years—the prisoner had been in my employ nearly two years—he has not been the means of adding to my business, quite different—I had commenced another branch of business before he came to me, but I had him to superintend that business—I had thirty or forty persons in my employ—none of them were in a superior situation to the prisoner—he was the head of the fringe department—he had the giving out orders—my wife is not here—she had a subpœna from the prisoner to attend here last Sessions, but she was unable to attend, and the trial was put off—she has not had a subpœna this Sessions—she is not well—I expect she will be confined before I get home—she was up when I came out, and down stairs—I came out about nine o'clock—she had breakfasted in bed, and came down afterwards—it was the prisoner's duty, on all occasions, to account to me, unless, by chance, he might give it to Mrs. Whittingham—he has at times given money to her—I have not complained of his doing so—I considered him justified in doing it—I went into Yorkshire on the 7th or 8th of August last—I had thirty or forty persons in my

employ at that time—they all received wages on Saturday night—I said I might be gone a fortnight, but I was gone nearly three weeks—during the time I was gone no one received any accounts from my customers but the prisoner, and it was his duty to account to Mrs. Whittingham—my servants received about 20*l.* a week wages—I had left funds for the payment of wages in Mrs. Whittingham's hands—I think I left about 100*l.* in her hands for wages, and for payment of a bill of about 22*l.*—I do not recollect any thing else that was to be paid—it was the prisoner's place, as well as mine, to keep the books, and especially during the last year, on account of my illness—I was a good deal confined to my bed, and during that time my wife acted more than usual—I did keep the books during the year—when money is paid I bring it into another column in my ledger, and in the day-book I put "paid" to it, to save me from entering it in the ledger, when there is no running account—I have not omitted to put "paid" or "settled" to an account for three months—perhaps when I have been in bed I have entered it in a memorandum-book—I remember there was a running account in the name of Piggott, but I am not aware of any mistake about that—I entered that account in the cash-book—Mr. Jackson's was a running account—I had a conversation with the prisoner about that account.

Mr. Doane. *Q.* Were you in Yorkshire on the 3rd of August, or the 9th of November? *A.* No—after I had ascertained about these sums, I said to the prisoner, "I want those two sums you received of Messrs. Jackson"—he said, "I have been going to speak to you about them"—I said, "I want the money"—he said, "I will pay you 10*s.* a week"—I said, "Nothing will do but the money," and I walked out of the shop—he did not say he had paid it, he said he would pay it—Mr. Wynsall was present.

Mr. Ballantine. *Q.* Did you keep a cash-book till this year? *A.* Not a regular cash-book—I kept a memorandum-book, in which I used to enter things till I entered them in my ledger—I have not my memorandum-book here, but my cash-book and my ledger—the prisoner ought to have entered these sums in the ledger, and he has not.

Joseph Wynsall. I was present when the prisoner said he would pay 10*s.* a week—I heard the whole of the conversation—the two sums of money received from Bayley and Jackson were what the prosecutor asked for—the other accounts were not known of then.

(George Phipps, a silk and worsted dealer, of St. Martin's-lane; Joseph Lee, of Newgate-street; Joseph Hoby, a fringe-manufacturer, of Skinner-street; John Stanton, of Great Charles-street; and William Grammott, a silk-manufacturer, of Weymouth, gave the prisoner a good character.)

GUILTY. Aged 27.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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794. HENRY SMITH was indicted for stealing, on the 10th of February, 1 handkerchief, value 1*s.*, the goods of Thomas William Kennedy, from his person; to which he pleaded

GUILTY. Aged 19.—Transported for Ten Years.

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795. MICHAEL ROURKE was indicted for stealing, on the 13th of February, 1 purse, value 2*s.* 6*d.*; 1 handkerchief, value 1*s.*; 2 sovereigns, and 1 shilling, the property of Edward James Ingleby Fleming, from his person; to which he pleaded

GUILTY. Aged 17.—Confined Six Months.

796. WILLIAM NORTH was indicted for stealing, on the 12th of February, 43 lbs. weight of lead, value 6*s.*, the goods of the Governor and Company of the New River, his masters; to which he pleaded

GUILTY. Aged 28.—Confined Three Months.

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797. CHARLES REYNOLDS was indicted for stealing, on the 1st of August, 1 watch, value 3*l.*; 1 pair of shoes, value 10*s.*; 1 waistcoat, value 2*s.*; 1 shirt, value 3*s.*; 2 handkerchiefs, value 7*s.*; 2 half-crowns, 2 shillings, and 1 sixpence, the property of Peter Devine: 1 shirt, value 3*s.*, the goods of John Cox; and 1 coat, value 30*s.*, the goods of Patrick Graney.

PETER DEVINE. I am a coal-whipper. I lived in Lower Shadwell—the prisoner lodged in the same house and slept in the same bed with me—I had known him about a month—he worked in the same employ as I did—he was learning the business—on the 1st of August I got up about the same time as he did, and we were both down stairs together—I had a trunk in my room, which I know was locked—it contained the property stated, and I had put the key of it in a waistcoat in the room—I went out to work—I returned about four o'clock, and went up to my room—I saw the key lying under the bed—I opened the trunk, and found the things all upside down—the articles stated were gone—I have never seen any of them since—the coat was in the room, but that belonged to Peter Graney—the prisoner did not return—he was not seen at the house from about two o'clock that day till he was brought back from the county of Leitrim, in Ireland—on the 11th of February, I saw him at the Thames police-office—three or four persons lodged in the room.

ELEANOR CLARK. I am landlady of the house. The prisoner and Delaney, and three others, lodged in that room—on the morning of the 1st of August they all went out to work about eight o'clock, as usual—the prisoner returned about nine o'clock, as I was taking my breakfast—I asked him to take some coffee—he said he would; then he went up stairs, and came down again—he was in the house during the day, and as I was cleaning the room, he said, could he assist me to move the beds, or do any thing—I said he could not, I could do what I had to do myself—he was in and out several times, and I saw he had Graney's coat on his back—he could have had the opportunity of opening the box while I was not in the room—he went away about two o'clock that day—he had given me no notice—he asked me for a needle and thread to mend his own old coat, and I thought he had only slipped Graney's coat on while he did it—he left his own old coat behind.

PATRICK GRANEY. I am a coal-whipper. I lodged in the room—I came there the day before—I lost my coat, and have never seen it since—it was a blue coat with gilt buttons, and had a tear in the sleeve.

Prisoner. Q. Had you not got an outside-coat on that? *A.* Yes—Mrs. Clark was up when I went to work next morning.

MRS. CLARK *re-examined.* The coat the prisoner had on of Graney's was a blue coat with gilt buttons.

Prisoner's Defence. I am innocent—I was working at the coal-work, and my hands got so sore I was not able to work—I expected some money from my friends in Ireland to take me home—I went and got it—I should not have had enough to have taken me home if I had gone back and paid my lodging—I had no coat on when I left, only a jacket.

GUILTY.* Aged 35.—Confined Three Months.

798. GEORGE ETHERINGTON was indicted for stealing, on the 12th of February, 1 tea-pot, value 6*s.*; and 1 pair of bellows, value 1*s.* 3*d.*; the goods of Abraham Norden.

ABRAHAM NORDEN. I am a broker, and live at Hammersmith. I have known the prisoner some time—he was backwards and forwards in my shop on the 12th of February a good many times—after he was gone I missed a tea-pot—it was close to the front of the door, just entering in—this is it—(*looking at it*)—I do not know how the prisoner gets his living—he is a tailor by trade—these bellows are mine—(*looking at them*)—I lost them.

RICHARD COLLIS. I live at Hammersmith, and am an appraiser. I have known the prisoner four or five years—I met him, on the 12th of February, at a few minutes after two o'clock, close to Angel-lane, Hammersmith—he beckoned me, and asked if I could lend him a shilling, as he wanted it particularly—I said I had no objection to lend him a shilling if I had some security—he had this tea-pot in his hand, and I had it to hold till the next day—the next morning I heard he was taken, and I went to his residence, and found the officer there—I stated this, and gave up the tea-pot.

GEORGE LOW (*police-constable T* 50.) I took the prisoner from information—I told him what he was charged with—he denied having the tea-pot in his possession—another officer found these bellows the next day.

Prisoner's Defence. I met a person in the street selling these articles—I bought them of him a few yards from where the prosecutor lives—I had sold the bellows, but not the tea-pot.

GUILTY.* Aged 49.—Transported for Seven Years.

OLD COURT.—*Tuesday, March 3rd*, 1840.

Second Jury, before Mr. Sergeant Arabin.

799. GEORGE PUCKERIDGE was indicted for stealing, on the 21st of January, a 10*l.* Bank note, and a pocket-book, value 2*s.*, the property of Theophilus Dower Lloyd, in his dwelling-house; to which he pleaded

GUILTY. Aged 34.—Confined Six Months.

Before Mr. Justice Williams.

800. GEORGE CLEAVER and JOHN COX were indicted for burglariously breaking and entering the dwelling house of Thomas Blundell, about the hour of twelve o'clock in the night of the 16th of February, at St. Botolph without, Bishopsgate, with intent to steal, and stealing therein 1 towel, value 1*s.*; 1 pair of stays, value 1*s.*; 1 pair of trowsers, value 1*s.* 6½*d.*; 7 yards of printed cotton, value 3*s.*; 20 yards of linen cloth, value 16*s.*; 1 apron, value 6*d.*; 1 counterpane, value 5*s.*; 1 coverlet, value 3*s.* 6*d.*; 1 petticoat, value 1*s.*; 1 shirt, value 6*d.*; 3 sheets, value 5*s*; 1 shawl, value 1*s.*; 1 handkerchief, value 1*d.*; 1 coat, value 3*s*; 1 brass plate, value 1*s.*; 1 clock, value 5*s.*; 1 time-piece, value 10*s.*; and 1 dredger, value 1*s.*, his property: to which

CLEAVER pleaded GUILTY. Aged 20.—Confined Twelve Months.

ANN BLUNDELL. I am the wife of Thomas Blundell, a French-polisher, and live at No. 12, Rose-and-Crown-court—we keep the house. On Sunday night, the 16th of February, we were disturbed between twelve and one o'clock by the policeman, and on going down stairs I missed the property

stated, from the two parlours, which are in the lower part of the house and join each other—they only entered the lower part of the house—the value of all the property taken is about 2*l.*—the street door was open when we came down—it had been shut the night before, but not bolted—it was left on the latch, as a young man who lodged with us had not come home—it could not be opened without a key or a hook nail—I was the last person up.

EDWARD EXTON (*City police-constable, No.* 287.) I was on duty on the night in question about a quarter-past one o'clock, and stopped the prisoner Cleaver about three minutes' walk from the prosecutor's house going from it, and at the same time I saw a person, who I believe to be Cox, carrying a bundle on the opposite side of the way—he threw it down—I went and picked it up—I secured Cleaver, and laid hold of the bundle at the same time, and took him to the station-house—I saw the bundle opened at the station-house—it contained these things, which Mr. Blundell claimed—I am not certain Cox is the person I saw—Cleaver made some communication to me at the station-house.

JOHN FISHER (*City police-constable, No.* 68.) In consequence of what Cleaver said at the station-house, I went after Cox about half-past one the same night, and found him in a house in Half-moon-passage—I knocked, and he opened the door to me in his shirt—I told him I wanted him—he said, "What for"—I said I would tell him when I got him to the station-house—as soon as he came there Cleaver said, "Come and sit down, John, you are the man that helped me in the robbery"—he made no answer—he heard what Cleaver said—he was close to him.

(*Property produced and sworn to.*)

Cox's Defence. I am innocent—I do not know Cleaver—he is quite a stranger to me.

COX—NOT GUILTY.

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801. MARGARET STAPLETON was indicted for unlawfully, maliciously, and feloniously assaulting James MacNamara, on the 30th of January, and casting and throwing 2 ounces of a certain corrosive fluid, called sulphuric acid, upon and over his neck and face, with intent to burn him, and whereby he was burnt. 2nd COUNT, stating her intent to be to do him some grievous bodily harm.

JAMES MAC NAMARA. I am a labourer—I live in Hayes-court, Rosemary-lane. I have been married about nine months—I have known the prisoner about two years and a half—we lived together as man and wife, but had ceased to do so about twelve months before I was married—I had one child by her—it is dead now—it was alive at the time in question, and was at my house—I had taken it out of St. George's workhouse about nine weeks—the prisoner came to trouble me very often after we parted, and annoyed me in the streets with all sorts of abuse, and throwing mud in my face. On the 30th of January, between eight and nine o'clock in the evening, I went to the Pewter-platter public-house—I had not been there above half-an-hour when she came into the tap-room, where I was standing, waiting for employment at coal work—it is the place where we go to get employment in that line—I went to see if the landlord was in the bar to turn her out, because she had been a great annoyance there before—(she had not said or done any thing at that time,) she followed me, and drew her right hand from under her shawl with a cup in it, and threw this vitriol in my face saying, "You would not let me see my child, and take that for a

cure for your eyes"—it went right down my nose, on my neck, and on my clothes—here are the clothes that I wore, (*showing them much burnt,*) she said nothing else—I went to the doctor's and then to St. George's hospital, where I was sixteen days, and then was discharged as well—I had seen the prisoner before this happened, between six and seven o'clock, at my place—she said she came to see her child—she had been abusing my wife, and when I came home I turned her out civilly, and as I did so, she heaved a stone in at the door—I went for a policeman, but he would not take her in charge, and she hit me in the face before him—he then got her away—my neck and face was burnt, and pained me very much for four days—I thought my neck would be burnt right out—it was like fire itself—none went into my eyes—the child lived for about a week after this happened.

Prisoner. The half that he swears against me is false, it is not a word what I said—he is not married to the woman he lives with, he only picked up with her—she is a bad character—let him tell who married him—when I went in after him to the Pewter Platter public-house, I asked him if he would not let me see my child. *Witness.* She did not—she said, "You would not let me see my child," and threw this over me—Mr. Doyle, a Catholic priest, married me in St. George's-in-the-fields.

JOHN HILTON (*police-constable K* 184.) On the 30th of January, about half-past eight o'clock, I saw the prosecutor in Cock-lane, Ratcliffe, about twenty yards from the Pewter Platter public-house—his face appeared all in a burning state—he pointed out the prisoner to me on the opposite side of the street and gave her into my custody—I took her to the station-house, and she took this cup out of her pocket—it was rather wet in the middle—I did not observe whether it had affected her clothes—I put it into my handkerchief to take it home, and it burnt a hole in it large enough to get my thumb through—I asked her what she was going to do with the cup—she said she was going to get some castor-oil for her child—when I took her I said she was given into my custody by the prosecutor—she told me she did not care, for he deserved all he had got.

Prisoner. *Q.* When the cup was taken from me where was it put? *A.* On the mantel-shelf in the station-house till about nine o'clock—the inspector then gave it to me to take care of—I observed a small drop of liquid in the bottom of it, but not enough to pour out—I noticed that at the time I gave it into the inspector's hands.

Prisoner. The prosecutor did not give me in charge, he was in the doctor's shop at the time—it was another man, a friend of his. *Witness.* The prosecutor was at the door of the doctor's shop—he pointed out the prisoner to me himself—there was a mob round—nobody but the prosecutor gave me any directions to take her.

JANE KAY. I am a widow, and live at Lower Shadwell. I was in the bar of the Pewter Platter public-house on the evening in question—the prisoner came down the passage with the prosecutor—I heard her say to him, "She bounced about the room, and would not let me see my child"—I directly turned, and saw her lift her hand, and directly run out of the passage—I did not see whether she had any thing in her hand—I heard the prosecutor halloo very loudly—I went up to him, and asked what was the matter—he said she had blinded him with vitriol—his face was all streaming down—I assisted him in undoing his handkerchief, and he was led away to the doctor's—his face was quite black, and he complained very much.

Prisoner. I never saw this woman at all—she could not see me. *Witness.* I could see her, and the prosecutor also.

CHARLES HOVELL. I am a pupil at the London Hospital. The prosecutor was brought there on the 30th of January, about eight or nine o'clock in the evening—he was labouring under the effects of sulphuric acid having been thrown upon him—the skin was destroyed, and he was suffering violent pain—his face and neck were affected, the neck principally—the collar of his coat was burnt—if he had not been attended to immediately it would have run to high inflammation; but in consequence of that he was greatly relieved—he was under my care fifteen or sixteen days—I am confident it was sulphuric acid, because the remedies I applied would not answer to any other—he told me it was vitriol, therefore I applied the remedies proper in vitriol, which is sulphuric acid, and they answered—it is of a very inflammatory nature—I should say, from the state his clothes were in, that an ounce and a half, or two ounces, had been thrown on him—if it had gone into his eyes it would most probably have destroyed the sight—we could not have applied the remedies in sufficient time to save it if he had not been brought when he was—his life was in no danger—if it had not been attended to it would have been much worse, but still it would not have killed him—at all events it would have taken some time to have done it—it would subject him to very severe inflammation, but I do not think it would have caused death.

(*The prisoner in her defence stated, that the prosecutor would not suffer her to see her child, which was in a dying state from his ill usage; that she took it some castor oil in a cup, when his wife abused her, and he dragged the child out of her arms, and turned her out of doors. She afterwards went with a friend to the Pewter Platter public-house to have something to drink, and finding him there, she said, "So, you want to hinder me from seeing my child, and it is dying: there is a God above who will reward you." She further stated, that she had bought the vitriol to clean some copper, and by his knocking her about and ill-using her he knocked it over himself; that she was the fourth woman he had seduced, and turned his back upon, and he had shamefully treated and ill-used her.*)

GUILTY. Aged 26.—*Recommended to mercy, on account of her previous ill-treatment.*—Confined Twelve Months.

NEW COURT.—*Tuesday, March 7th,* 1840.

Sixth Jury, before Mr. Common Sergeant.

802. JOHN CARTER was indicted for stealing, on the 17th of February, one handkerchief, value 2*s.* 6*d.*, the goods of John Pierrepoint Lavie, from his person.

JOHN PIERREPOINT LAVIE. I live in Maddox-street, Regent-street. I was in Birchin-lane on the 17th of February, and had a handkerchief in my pocket, which I had seen an hour before—in consequence of information I looked in my pocket, and missed my handkerchief—this is it—(*looking at it*)—it has my marks on it.

WILLIAM CHILDS. I am a constable of the ward of Tower. On the 17th of February, about four o'clock in the afternoon, I was going up Lombard-street, and saw the prisoner and another walking behind the prosecutor—I got behind a cart and watched them—I saw the prisoner put

his hand into the gentleman's right-hand pocket and take out a silk handkerchief—he came across the way and saw me, and ran down Nicholas-lane—I pursued and caught him in Cannon-street—I saw the handkerchief taken from him.

Prisoner's Defence. I was coming down Lombard-street, and saw the handkerchief on the ground—I took it up, and was going across the road, —he saw me, and said, "Drop it"—I ran away with it—I am innocent.

GUILTY.† Aged 23.—Transported for Ten Years.

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803. BENJAMIN LUMPKIN was indicted for stealing, on the 10th of May, 7½ yards of silk serge, value 3*l.*, the goods of James Dickens Saltmer: and 1 philister plane, value 6*d.*, the goods of Thomas Turner.

RICHARD EVANS. I am warehouseman to James Dickens Saltmer, of St. Paul's churchyard. The prisoner is a carpenter, and was employed there by Mr. Lawrence at the time my master had his premises altered—he was there about the 10th of May, and about that time we lost seven yards and a half of silk serge—in consequence of circumstances in February I went to the prisoner's lodging—this silk serge was found by the policeman at the pawnbroker's—this is it—(*examining it*)—it is what we lost in May last.

Cross-examined by MR. DOANE. *Q.* You have no particular mark on it? *A.* No—it is a very particular sort—it is the only piece we ever had, and we got it from Lyons—I saw it last in the warehouse in the beginning of last May—I know that because I cut a part of it off, and gave the rest to a traveller in the country—we kept it in the back part of the warehouse —there are three men in my master's employ, whose duty it was to take care of the serge—the prisoner had not the care of it.

COURT. *Q.* Are you able to say that this is part of what you had? *A.* Yes—when the part was given to the traveller in May there was seven yards and a half left.

THOMAS TURNER. I am a carpenter, living in Providence-row, Finsbury. I was employed in May with the prisoner at the prosecutor's premises—I lost a philister plane—this is it—(*examining one*)—it has my name on it.

Cross-examined. *Q.* Do not tools get mixed sometimes? *A.* Yes—we were working at Mr. Saltmer's, and next door—I was ill, and absent three weeks at that time.

MARY ANN LUMPKIN. I am the prisoner's daughter, and live in Three Tun-court. I pawned these articles—my father gave them to me to pawn.

JOHN HORBLE. I am assistant to Robert Reeves. I have produced some silk serge and a plane, which were pawned by Mary Ann Lumpkin on the 10th of May.

HENRY CAMPER. I am a pawnbroker in Barbican. One length of the silk serge was pawned by the prisoner's daughter.

(Esther Maynard, the wife of a carpenter, of Little Winyett-street, Camden-town; and Rebecca Budd, gave the prisoner a good character.)

GUILTY. Aged 40.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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804. JOHN AGAR was indicted for stealing, on the 22nd of February, 1 handkerchief, value 2*s.*, the goods of Abraham Hart, from his person.

ABRAHAM HART. I live in Chapel-street, Russell-square. About twelve o'clock on the the 22nd of February, I was in Holborn—a young man

turned round and asked me if a pocket-handkerchief that he had in his hand was mine—I said, "Yes"—this is it—(*examining it*)—I had seen it when I left home—it has my mark on it.

GEORGE TREW (*police-constable H* 125.) I was going up Holborn in plain clothes, and saw the prisoner with two other lads, bigger than himself—I turned and followed them—I saw the prisoner touch the prosecutor's pocket, and then speak to the other two—he then followed and took the handkerchief out of the prosecutor's pocket with his right hand—I took him, and the handkerchief.

Prisoner. I never was in prison before.

GUILTY. Aged 13.—*Recommended to mercy by the Prosecutor and Jury.*

Confined Three Days.

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805. MARY ANN HART was indicted for stealing, on the 24th of February, 1 purse, value 1*s.*; 1 half-crown, 4 shillings, and 2 groats; the property of Julia Nelthorp, from her person; and JOHN COOPER, for feloniously receiving the same, well knowing them to have been stolen, against the Statute, &c.

JULIA NELTHORP. I live in Norway-place, Limehouse. About half-past two o'clock, on the 24th of February, I was in Leadenhall-street with a lady and the witness Larkin—there was a crowd round an omnibus—I felt a hand in the right-hand pocket of my dress, which contained a green silk purse, with one half-crown, four shillings, and two fourpenny pieces—I endeavoured to lay hold of the hand, which belonged to the prisoner Hart—I am sure of that—she dragged her hand away with the purse—I turned round, and laid hold of her cloak; she thought I was alone, and began abusing me—when Larkin spoke to her, she turned round and walked away—I am quite sure it was her hand that was in my pocket.

Cross-examined by MR. PHILLIPS. *Q.* Have you always said you were sure it was her hand? *A.* Yes, I am sure of that—I said before the Magistrate that I felt a hand in the pocket of my dress—I said it was the prisoner's hand—there was a slight crowd there, through which my friends were endeavouring to make their way—I taxed her with taking my purse, and she said she knew nothing about it—I have no idea how many people were there—there was a considerable number—I had not been in the omnibus—I am unmarried.

HENRY LARKIN. I live with my father, in Norway-place, I was with the prosecutrix—I heard her say to Hart, "You have picked my pocket, you have taken my purse," and Hart called her an impudent *hussy* for saying so—Hart went way—I followed her, and told her the young lady accused her of taking her purse, and desired her to return—she refused to do so—Cooper came up, took his hand out of his pocket, and put his hand to Hart, and she passed the purse to him directly—I could not see the colour of the purse, it was passed so quickly—a gentleman took hold of Cooper—he knocked him away, and ran away directly.

Cross-examined by MR. PHILLIPS. *Q.* What did you say to Hart when you first came up to her? *A.* I told her the young lady accused her of taking her purse, and asked her to return—there is no mistake about that—she refused at first, till Cooper came up and she had passed the purse—then she said she would go back with me—I stopped with her till the policeman came up and took her to the station-house—I went with her—I was rather flurried—there was a considerable crowd about—I was two or three feet from Hart—it was daylight—I believe I have always told this

story in the same way—I do not recollect telling any other—I believe I have told the same story as I did before the Lord Mayor—I will swear that I first said to Hart, "Come back with me"—I think that was the first thing—when I accused her of taking the purse, she refused to go back—I told her she must—I told the Magistrate that—then Cooper came up, and Hart said to him, "This youth accuses me of taking a lady's purse"—she did not do any thing before Cooper came up—I never represented that she did—she remained talking with me till Cooper came up—I have always said so—I said she walked off before this—I spoke to her in the crowd, and she walked off—I never said that when I accused her of taking the purse, she said no she had not, and walked away—I do not recollect the precise words I said before the Magistrate—Cooper came up, he took his hand out of his pocket, and put it to Hart, and she put a purse into his hand directly—that is what I saw, and all that took place—I swear that—I do not know that Cooper said any thing—I was close to them—Hart did not run.

Cross-examined by MR. DOANE. *Q.* What were you doing there? *A.* I was walking home—I am in my father's office, he is a brewer—it is true that Cooper came up, put out his hand, and she put the purse into his hand, and he then ran away—I have never given another account of this—my statement was read over to me at the office—I was asked if it was correct, and whether I had any thing to add—(*reading his deposition*)—"Cooper then came up; Hart said to him, 'This youth accuses me of having taken a young lady's purse;' he then came close up to her. I saw her slip a purse into his hand; a gentleman seized Cooper, but he forced himself away"—I told the Magistrate that Cooper held out his hand—Hart had gone twenty or thirty yards before Cooper came up—the gentleman who seized Cooper is not here—I recollect Hart speaking to Cooper—I should not have noticed what Cooper said if he answered—I did not see the colour of the purse, it was done so quickly—though I was looking out for a purse—no purse has been found.

CHARLES WYKES (*police-constable K* 259.) I was on duty—some person told me, in the hearing of Cooper, that he saw him with the purse in his hand, and told me to take him into custody—Cooper said he had not got the purse.

Cross-examined by MR. DOANE. *Q.* Cooper denied it? *A.* Yes.

MICHAEL RICHARD HOUGHTON. I keep a furrier's shop in Whitechapel-road. I was passing near this crowd with my daughter, about half-past one o'clock—I saw a green purse pass from Hart's hand to Cooper's—I was within about three feet of them.

Cross-examined by MR. PHILLIPS. *Q.* Who caused you to come here? *A.* I was subpœnaed—I went to the station-house, and stated what I saw—I did not go before the Lord Mayor, because I had business to attend to—I came here of my own free will—I was subpœnaed after I came here by a policeman—he did not say, "Remember, if you are asked how you came here, say you were subpœnaed"—I do not think any thing passed—the subpœna was handed to me, with 1*s.*, in the outer court—I was not aware of the purport of the 1*s.*—the father of the witness Larkin, and another gentleman, called on me, I think on Friday last, to know if I would attend here, but I should have attended without that—I got the subpœna yesterday, and went before the Grand Jury.

HART—GUILTY. Aged 19.
COOPER.†—GUILTY. Aged 35. } Transported for Ten Years.

806. JOHN HOLLINGSHEAD was indicted for stealing, on the 24th of November, 3 sovereigns, 2 half-sovereigns, 200 shillings, 48 half-crowns, 60 pence, and 1 5*l.* note; the monies of Abraham Redon: to which he pleaded

GUILTY. Aged 18.—Confined Six Months.

807. THOMAS CROSS and WILLIAM CROSS were indicted for stealing, on the 7th of February, 2 sheets, value 2*s.*, the goods of Thomas Johnson; to which they pleaded

GUILTY.—Confined Three Months.

808. JOSEPH DUEL was indicted for embezzlement; to which he pleaded

GUILTY. Aged 21.—Confined One Month.

809. JOSEPH FOSTER was indicted for stealing, on the 15th of February, 6 lbs. 10 oz. weight of tea, value 1*l.* 19*s.*, the goods of the East and West India Dock Company, his masters.

Mr. Clarkson conducted the Prosecution.

ISAAC COLNETT. I am the principal foreman of the East India Import Dock—by the Act of 1 William IV. the East and West India Docks were united as the East and West India Dock Company—the prisoner was employed on the 15th of February, on the second floor in the East India Import Dock, in lowering some iron work from the crane—I went up stairs, and saw him close to where the tea-chests were, on the right hand side of the room—he had no business there—I went up to him directly, and asked what he did there—he walked off to the other side and said he was looking for a rope—I told him there were no ropes there and that he knew—I saw a projection under his smock-frock, and said, "You have tea, Foster," he said, "Yes, I have"—Tiplady, another foreman, was coming up stairs—this tea was taken from the prisoner—there was 4 lbs. 10 oz. of gunpowder tea—he was going off with it—a man took him to the Dock station, where I left him—I went to the pile of chests and found one open, and 12 lbs. short of the weight—I compared the tea with that in the chest.

Cross-examined by MR. BALLANTINE. *Q.* Are you a judge of tea? *A.* Partly so—I can speak to the weight of this chest by the mark cut on it, and the entry in the books—I am sure the prisoner was at work there for the Company at the time.

GEORGE COOK TIPLADY. I am a foreman in the East and West India Docks. On Saturday the 15th of February I had occasion to go on the second floor of the East India Import warehouse, and was called by Colnett to search the prisoner—I lifted up his smock-frock, and under it I found a handkerchief of tea under his belt—just as I took it he said, "I have some tea"—I took it from him—I went to the station and saw 1 lb. 14 oz. of tea found in his hat.

ALEXANDER LUKE. I am a constable in the Dock—I took charge of the prisoner, and found 2 lbs. of gunpowder tea on him—I have compared it with the tea produced, and cannot tell the one from the other—I asked the prisoner where he got it from, he said, out of a box in the warehouse.

Cross-examined. Q. You asked him if he broke the box open? *A.* Yes, and he said it was open before he went.

Prisoner's Defence. I was in great distress—I had two children living,

and had just buried one—I was foolish enough to take it—I never touched any thing before.

(The prisoner received a good character.)

GUILTY. Aged 35.—Confined Four Months.

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810. THOMAS BARTON was indicted for stealing, on the 22nd of January, 1 watch, value 15*l.* 10*s.*, the property of Bernard Maze and another; to which he pleaded

GUILTY. Aged 22.—Confined Nine Months.

(There was another indictment against the prisoner.)

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811. RICHARD DAVIES was indicted for bigamy, to which he pleaded

GUILTY. Aged 45.—Confined Ten Days.

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812. JOSEPH JONES was indicted for stealing, on the 24th of February, 1 coat, value 2*l.* 10*s.*, the goods of John Stafford.

GEORGE LYALL. I am in the employ of John Stafford, a tailor in Holborn. On the 26th of February I missed a coat, about seven o'clock in the evening—it was brought back about five minutes after by Bassett—this is it—(*looking at it*)—it is my master's—it was hanging just inside the door.

Prisoner. You stated that a woman was standing at the corner of Field-lane with it, and you took it from her, that she said she did not see me drop it, and now you say that Bassett brought it to the house. *Witness.* No, he brought it to me—I pursued you up Fetter-lane—the woman had the coat.

JAMES BASSETT. I am in the employ of Mr. Scott, of Water-lane. I was coming up Holborn and heard the cry of "Stop thief"—I saw the prisoner with the coat trying to put it on—he saw me and dropped it—I picked it up, and gave it to a lady, and pursued him—I got the coat again, and gave it to Lyall.

Prisoner's Defence. I heard the cry of "Stop thief," and turned up Fetter-lane—after a time I found I was the pursuer, and being pursued—I was not trying to put it on.

GUILTY.† Aged 19.—Transported for Seven Years.

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813. WILLIAM NEWSOM was indicted for feloniously forging a request for the delivery of goods.—2nd COUNT, for uttering the same.

GEORGE WILLIAM ANSELL. I am foreman to Mr. Hayward Taylor, a brassfounder, in Cripplegate. On the 21st February the prisoner came and presented this order to me for a dozen of bib cocks—(*read*)—"Feb. 21, 1840. Please let the bearer have half-a-dozen of ¾ bib cocks, and half-a-dozen of inch, for Mr. Crosbie."—Mr. Crosbie deals with us—I know his writing—this is not his—I detained the prisoner—he said he was sent by Mr. Crosbie for the goods.

Prisoner. I said I was sent by a man who worked for Mr. Crosbie.

Witness. You said so afterward, but first you said you were sent by Mr. Crosbie.

JAMES CROSBIE. I am a plumber, living in Elton-street, Moorfields—this is not my writing—I never saw the prisoner, nor sent him.

Prisoner's Defence. I met a young man who said, "I have got an order that I want to send to Mr. Taylor"—he asked me to take it for him, as he did not like to go to the shop, as he had been drinking—he went with me and showed me the shop—I gave it to Ansell, and said, "Here

is an order—it comes from Mr. Crosbie's—one of his men gave it me." He said, "Is this Mr. Crosbie's writing?" I said, "I do not know."

NOT GUILTY.

814. WILLIAM DAVIS and DAVID GILLIS were indicted for breaking and entering the dwelling-house of George Steel, on the 7th of February, at St. George the Martyr, and stealing therein 1 table cloth, value 1*s.*, the goods of the said George Steel: and 1 writing-desk, value 10*s.*; 2 pocket-books, value 1*s.*; and 1 pencil case, value 1*s.*; the goods of Elizabeth Robinson.

GEORGE STEEL. I live at No. 25, Great Ormond-street, in the parish of St. George the Martyr, Middlesex—it is my dwelling-house. On Friday the 7th of February, I was sitting in my back parlour—I heard the street door open, which I had come in at, and shut about five minutes before—thinking it was the servant gone out, I did not take notice of it, but hearing it creak afterwards, I went to see who it was—I looked out, and saw a crowd—I went into the parlour, and missed a desk, but did not miss the table-cloth till the next morning—it has not been found—it was mine—the desk was Mrs. Robinson's.

ELIZABETH ROBINSON. I am a widow, and have apartments in the prosecutor's house—I left my writing-desk, two pocket-books and a pencil-case in it, in the front parlour—I shut the door about six in the evening—I afterwards missed my desk—this is it—(*examining it.*)

GEORGE PIPER (*police-constable E* 75) I was in Great Ormond-street at a quarter-past seven o'clock that evening, and saw the two prisoners in company with another—Davis went to the door of an empty house, and then to four or five others, and then to the prosecutor's—I lost sight of them for two minutes—I then saw them come from the door, and Davis had this desk—as soon as he saw me, he dropped it and ran off, I pursued and took him—in going along he dropped something down an area—I knocked and asked the servant, and found it—it was this latch-key, which opens the prosecutor's door—Gillis and the desk were then gone—he was taken by another officer in Holborn, a few minutes after, with the desk.

HENRY GRISS (*police-constable F* 1.) I took Gillis about twenty minutes to eight o'clock that evening—I met him with another in Holborn—he was carrying this desk—the other got away—he said the other gave it him to carry.

Davis's Defence. I own to having the desk in my possession, but did not drop the key.

Gillis's Defence. I know nothing about the robbery.

GILLIS*—GUILTY. Aged 19.
DAVIS*—GUILTY. Aged 16. } Transported for Ten Years.

OLD COURT.—*Wednesday, 4th March,* 1840.

Fourth Jury, before Mr. Sergeant Arabin.

815. THOMAS ANDERSON was indicted for feloniously uttering counterfeit coin, well knowingr the same to be counterfeit; having been previously convicted of a like offence: to which he pleaded

GUILTY. Aged 22.—Transported for Seven Years.

816. THOMAS MATTHEWS was indicted for feloniously breaking and entering the dwelling-house of Thomas Kirby, on the 15th of Feb-

ruary, at St. Olave, Hart-street, and stealing therein, 7 yards of woollen cloth, called doe-skin, value 32*s.*; and 7-8ths of a yard of velvet, value 18*s.*; his goods.

THOMAS KIRBY. I live in Silver-street, in the parish of St. Olave—it is my dwelling-house. On Saturday, the 15th of February, I was at home—about seven o'clock in the evening a square of glass, which had been put in that day, was broken at one corner, and taken out—this seven yards of cloth and this velvet, which are mine, were taken out of the window.

Cross-examined by MR. PAYNE. *Q.* When did you first observe this? *A.* I heard a cry of "Stop thief," came down, and found the glass taken out, and the things gone—the whole property is worth 50*s.*

JOHN THOMAS LEE. I am a porter. I was opposite Mr. Kirby's house about seven o'clock, and saw two persons at the window—they pushed the square of glass in—I could see the arm of one, but I do not know who did it, but the prisoner hurried up the street with the cloth—the other walked a few yards behind—my brother hallooed something, and the prisoner dropped the cloth—I believe him to be the person—I did not see his face.

Cross-examined. *Q.* You merely speak to him from his size and dress? *A.* That is all—he was taken within two or three minutes—I was then of opinion that he was the person.

HENRY LEE. I was with my brother, and saw the persons *shove* the pane of glass in, put their hands in, and take the cloth out—one ran off, and the other walked slowly—the prisoner dropped the cloth.

Cross-examined. *Q.* You did not see his face, did you? *A.* No—I was across the road—I cannot say which put his hand in the window.

SAMUEL HALL. I am a policeman. I was on duty, and saw the prisoner in Silver-street—he ran from behind a cart, across the street, towards Falcon-square—I endeavoured to take him, but missed my hold—I caught hold of his hat, and knocked the crown of it in—I then pursued him down into Castle-street, and there took him—as I was taking him to the Compter he slipped out of the handcuffs, and ran across Smithfield—I secured him at the corner of Hosier-lane.

Cross-examined. *Q.* What became of the other man? *A.* He was taken into custody, and discharged by the Magistrate. NOT GUILTY.

Before Mr. Baron Alderson.

817. JANE BLINKFORD, *alias Mary Williams*, was indicted for feloniously and knowingly uttering a counterfeit shilling, to John Apple Englehart, on the 13th of February; having been previously convicted of uttering counterfeit coin.

THE HON. MR. SCARLETT *and* MR. BODKIN *conducted the Prosecution.*

CALEB EDWARD POWELL. I am assistant-solicitor to her Majesty's Mint. I produce a copy of the record of the conviction of Jane Blinkford for uttering counterfeit coin—I have examined it with the original record in this Court—it is a true copy—(*read.*)

ROBERT BARBER (*police-constable C* 168.) I was here in June, 1839, when the prisoner was tried for uttering a bad half-crown, on the 23rd of May, to Jane Evans—she pleaded guilty, and was confined six months.

JOHN APPLE ENGLEHART, JUN. I am the son of John Englehart, who keeps a pork-shop, in St. Martin's-le-grand. On the 13th of February the prisoner came to the shop for a saveloy, which came to 1½*d.*—I served her—she offered me a shilling—I looked at it, and told her it was a bad one—my

father was in the shop—I gave it to him, and went for a policeman—I saw my father mark the shilling.

JOHN ENGLEHART. On the 13th of February I saw the prisoner in my shop—she gave my son a shilling, which he gave me to look at—I marked it, and afterwards gave it to the constable—the prisoner attempted to leave the shop—I ran after her, and she was secured outside—this is the shilling—(*looking at it*)—she was going to leave the shop two or three times—I said she had better wait for the change—she knew my son was gone for an officer—I told her to wait for the change—I kept the shilling in my hand, and gave it to the officer.

EDWARD COGHLIN. I was in the police on the 13th of February, and took the prisoner into custody at the prosecutor's shop—he gave me this shilling, which I have had ever since—I was going to search the prisoner at the station-house—she refused to be searched by a man—I said, "Produce what property you have got, and I will not search you"—after some hesitation she produced a bad half-crown, and I did not search her—she gave the name of Mary Williams—we asked her residence—she said she lived where she could.

MR. JOHN FIELD. I am inspector of coin to the Mint. I have examined the half-crown and shilling produced—they are both counterfeited in every respect.

Prisoner. I throw myself on the mercy of the Court.

GUILTY. Aged 20.—Transported for Ten Years.

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818. WINIFRED DWYER, MARY LANGLEY, and ANN STYLES, were indicted for feloniously making, on the 12th of February, 3 pieces of counterfeit coin, resembling, and apparently intended to resemble and pass for 3 of the Queen's current coin, called sixpences.

THE HON. MR. SCARLETT *and* MR. BODKIN *conducted the Prosecution.*

WILLIAM STANNARD (*police-sergeant G* .) On the 12th of February, at a quarter past three o'clock in the afternoon, I went to No. 4, Old Nicholl-street, Shoreditch, accompanied by Redman and Fink—Fink was left outside—we went to the first floor front room—we found the door fastened inside—I could see through a crack in the door into the room—we could not see the fire-place, but saw the three prisoners sitting on stools, apparently before the fire—two had their backs to us, and Styles was sitting sideways—I could see she had a piece of money in her left hand, and was doing something to it with her right hand—the other two sat very close to her—I could not see whether they were doing any thing—I noticed them for about a minute, and then burst the door open—it gave way, and I fell down inside the room—Dwyer and Langley went towards the window—Styles remained on the stool, apparently in a fainting state—we gave her some water—after securing the three prisoners, I searched the room, and under a stool where Styles sat I found two counterfeit sixpences, which I produce—in another part of the room, by the side of where Dwyer stood, I found a pair of scissors, and two counterfeit sixpences behind a bedstead, one of which has the *get* attached to it—that one was quite cold—there was a fire-place close to where they had been sitting—I searched about the grate, and on the left-hand hob I found a piece of tin called a *band*—there was apparently plaster-of-Paris sticking to it—on the table I found a teacup, a piece of metal spoon, and some plaster-of-Paris in a damp state; and on a shelf, over the table, was a bag containing plaster-of-Paris in a dry state—I merely felt the prisoners'

clothes—2¼*d.* was found on Dwyer, but nothing on the others—all their hands were very dirty, and Styles's particularly smelt of metal and antimony—the three prisoners were the only persons in the room—I asked who the room belonged to—Styles answered, "It belongs to Mrs. *Canson*," and Dwyer said, "Yes, it belongs to me."

Cross-examined by MR. PAYNE. *Q.* How did you find the outer door of the house? *A.* Open—the room-door was fastened with a staple and hasp inside—nobody went in at first but I and Redman—Fink came up about four minutes after—I found the sixpence and scissors behind the bedstead, which is near the window—they went towards the window on my tumbling into the room—I think *Shanson* was the person's name whom Styles said the room belonged to.

Styles. *Q.* Had not I my bonnet and shawl? *A.* Yes—the others had not.

COURT. *Q.* Was the window open or shut when they went to it? *A.* I do not know—I did not observe whether it was open or shut.

HENRY REDMAN. I accompanied Stannard to the room—I entered the room with him, and saw Dwyer and Langley go to the window—I ran after them, but, before I could get to them, Langley opened the window and threw some white substance out—I laid hold of her and Dwyer—Stannard brought Styles from the fire, and we handcuffed them—I searched the room, and took this pipe from the fire, with the bowl red hot, and some fluid metal in it—I found a pot on the hob with a piece of white metal in it, and on the hearth, near where Langley and Dwyer went from, I found three counterfeit sixpences—I found no good sixpence—there was a small bit of a spoon in the pot with the other metal.

Cross-examined. *Q.* About what size is the room? *A.* About ten feet square—there is only one window—there was a bedstead and table, and the stool they sat upon—I did not observe any chairs.

Langley. I did not throw any thing out of window—it was never opened at all.

JOHN FINK. I am a policeman. I accompanied Stannard and Redman to the house in question—I remained in the middle of the road while they went up—I saw Langley come to the window, open it, and throw this mould out into the road—it was quite hot at the time—it had been sticking together, but it separated into two pieces in falling—there was nothing in it—I took it up, and then went up stairs—I took charge of the prisoners, and on the floor I found this piece of metal.

MR. JOHN FIELD. I am inspector of counterfeit coin to the Mint. Here are seven sixpences, all counterfeit, and all cast in the same mould—this is a plaster-of-Paris mould in which they have been cast—this one with the *get* tallies with the mould as well as the rest—here are two more *gets*, which also fit the mould—here is a tobacco-pipe with metal in it similar to the sixpences—the metal in the spoon is of a similar kind—it is Britannia metal, which is a mixture of tin and antimony, which has a smell about it—this is plaster-of-Paris in powder—this piece of tin is used to make the mould, to confine the plaster-of-Paris into a shape—the scissors would be used to nip off the *gets*—they generally make the impression in the mould with a good sixpence.

Cross-examined by MR. PAYNE. *Q.* What would require to be done to these sixpences before they were circulated? *A.* Six of them have surplus metal round the edge, which should be removed with a file; but one appears to have been filed, and would be in a state for circulation.

Langley's Defence. I met Dwyer in Shoreditch at a quarter-past two o'clock, and asked where she had been—she said with her husband's dinner—I asked her to have a pint of beer—we both went into a public-house, and had a pint of porter each—directly afterwards she asked me to go home with her to have a cup of tea, and I went up stairs with her—any transaction of coining I know nothing about.

Styles's Defence—(written.)—"I beg to inform you, my Lord, and Gentlemen of the Jury, that I am an unfortunate young woman, and became acquainted with a young woman named Mary Shannon, the daughter of Mrs. Dwyer, the prisoner at the bar with me. This acquaintance originated in consequence of my mother and myself residing very near to them in the same street; and having lent this young woman an apron during the week, I stood much in need of it. I had been on an errand for my mother into Bishopsgate-street, and on my returning home, having to pass by their door, I ran up stairs and inquired for her daughter, Mary Shannon, and was answered she was not within, but expected her home in a few minutes. I had my bonnet and shawl on me at the time; and as she was expected to return in a few minutes, I waited there. I most solemnly declare to you my Lord, and the Gentlemen of the Jury, I had not been in the room more than ten minutes when the officers came in and took me into custody, together with the other two female prisoners now at the bar with me. I humbly beg leave to state, that the officers who took me into custody, if required by your Lordship, can declare upon oath I had those articles upon me at the time they took me into custody. I therefore humbly hope this circumstance will convince you that I had not the smallest connexion, or was in any way interested in the business my fellow prisoners was then carrying on; and the circumstance that led me to their room was no other than what I have before described, to get an apron from her daughter that belonged to me."

(Two witnesses deposed to Styles's good character.)

DWYER—GUILTY. Aged 42.
LANGLEY—GUILTY. Aged 34. } Transported for Ten Years.
STYLES—GUILTY. Aged 19.—Transported for Seven Years.

819. ROBERT LEMON was indicted for burglariously breaking and entering the dwelling-house of James Good, about the hour of twelve in the night of the 20th of February, at St. Leonard, Shoreditch, with intent to steal the goods, chattels, and monies therein being; to which he pleaded GUILTY. Aged 22.—Confined Three Years in the Penitentiary.

(The prisoner received a good character, and was recommended to mercy by the prosecutor.)

820. HENRY MORRIS and HENRY HULL were indicted for burglariously breaking and entering the dwelling-house of William Grove, on the 5th of February, at St. Leonard, Shoreditch, about the hour of two in the night, with intent to steal, and stealing therein, 2 boxes, value 5*s.*; 1 tea-caddy, value 5*s.*; 1 desk, value 5*s.*; 10 shirts, value 35*s.*; 1 shawl, value 10*s.*; 1 yard of flannel, value 1*s.*; 1 brush, value 1*s.*; 1 necklace, value 1*s.*; 1 snap, value 1*s.*; 1 medal, value 1*s.*; 2 yards of cotton, value 2*s.* 6*d.*; 1 ivory box, value 1*s.*; 4 frocks, value 10*s.*; 2 yards of cotton, value 1*s.* 6*d.*; 1 cloak, value 5*s.*; 9 pillow-cases, value 10*s.*; 12 towels, value 12*s.*; 6 napkins, value 6*s.*; 1 pair of socks, value 1*s.*; 5 table-cloths, value 10*s.*; 10 sheets, value 2*l.* 10*s.*; 6 aprons, value 3*s.* 6*d.*; 9

printed books, value 10*s.*; 1 bag, value 6*d.*; and 18 foreign copper coins, value 1*s.*; the property of the said William Grove.

WILLIAM GROVE. I live at Nos. 1 and 2, Horse-and-Groom-yard, Curtain-road, in the parish of St. Leonard, Shoreditch; there is an internal communication from No. 1 to No. 2. I sleep in No. 1. On the 5th of February I went to bed about eleven o'clock, every thing was safe then—Mrs. Grove was up a quarter of an hour after me, but did not go into No. 2, at all—I had seen No. 2 quite safe—I was the last up, except my wife, and I did not go to sleep till she came to bed—I was called up between three and four o'clock in the morning, and went into the house No. 2—it appeared as it was left, except that a small portion of the parlour-window was open—the sash was lifted up a little—it was down the night before, but not fastened—a young man named David Bower slept in that room—I found him asleep still—he is not here—I missed two boxes from the back part of that room—the window had been closed the night before by a little servant-girl—she is not here, but I came home about eight or nine o'clock in the evening, and if that window had been up I must have perceived it—somebody must have lifted it much higher to get the boxes out—they contained a large quantity of linen, a variety of children's clothes, some printed books, and a tea-caddy—the boxes belong to my daughter—the value of all the property in the boxes is about 9*l.*, at a low calculation—when I was called up, I found the two prisoners and another man in custody, at the station-house, with all the property that was missed—I had seen it safe the afternoon before.

Cross-examined by MR. PAYNE. *Q.* Is this your property? *A.* A portion belongs to myself, part to my son, part to my daughter, and a larger part to my wife's sister, but it has been in my possession three or four years—it was left in my care, and I was answerable for it—I am sure I have not over-valued it—my son is apprenticed to a watchmaker, but comes home on Saturday nights—I have known Morris about five years—I never knew any thing wrong in him—I have been a sergeant of the police some years, and am now gaoler of the police-court, Worship-street.

JOHN MASTERS. I am a policeman. On the morning of the 6th of February, about half-past two o'clock, I was on duty near the prosecutor's house, and coming by Horse-and-Groom-yard I saw a man, not in custody, standing on the pavement opposite the yard—when I got near the yard, I saw the two prisoner's come out of the yard—they all three joined together, and went up Curtain-road—one said to the other, "I have *gave* him twelve shillings, and the b—— is not satisfied with that, he wanted the other two"—I turned down Horse-and-Groom-yard—there is a mews to the right—I turned my light on near the bottom, and saw two boxes, a tea-caddy, a writing-desk, and some wet sheets—in a few minutes Sergeant Kidney came up—I told him, he accompanied me down there, and in a quarter of an hour or twenty minutes a *cab* drove up to Horse-and-Groom yard—Hull and another not in custody came running down the yard—Sergeant Kidney and I were there, and as soon as they saw us they returned and made a run—I pursued, and took Hull into custody—the other made his escape altogether—I saw a *cab* standing at the entrance into the yard—Morris was sitting on the box, and the door of the *cab* was open—it was the *cab* that had driven up—Sergeant Kidney came up and ordered the *cab*-man to stop—he put the boxes into the *cab*, and ordered him to drive to the station-house—Morris remained on the box till they got to the

station-house—he was not the driver—I asked Hull what he was coming down the yard for—he said to ease himself.

Cross-examined. Q. Where were you standing at the time you say you saw the prisoners come out of the yard, before you heard the conversation? *A.* Down the yard near the boxes—the conversation was in the Curtain-road—I was opposite Horse-and-Groom-yard on the same side of the way, about three yards from them—they went towards Old-street-road, and I went on behind them—I was about three yards behind when I heard the conversation—I did not expect any thing wrong then—I knew Morris by sight before, seeing him about town selling ginger-beer in the summer time.

ABRAHAM AVIS. I am a licensed *cab*-driver. On the morning of the 6th of February, just before three o'clock, I was on the stand at the Madhouse rank, in Old-street-road—Morris came up to me there and engaged my *cab*—I did not know him before—he told me he had fallen out with his landlady that night, and wanted my *cab* to move his two boxes from the Curtain-road to Aldermanbury—he asked me what I would do it for, and before I could answer he said he would give me 1*s.* 6*d.*—I said I would take him—he afterwards said I need not be afraid of the money, and gave me 18*d.* before I went—he got on the box, and a friend of his came up—he said his friend was going to the Curtain-road, and I let him into the *cab*—I do not know that person—I was going to get on my box to drive away, and the prisoner Hull came up—he let himself into the *cab*, and said he was going down the Curtain-road—I got on my box and drove to the Curtain-road with the three—I asked Morris where I was to stop, and just opposite Horse-and-Groom-yard he told me to stop—just before I pulled up, the two got out, and went down the yard—Morris remained on the box with me—a policeman hunted the two out of the yard—they took one, and the other got away—the boxes were put into my *cab*, and I drove to the station-house.

Cross-examined. Q. Were you taken into custody at all? *A.* I was detained that night, and taken the next day before the Magistrate, where I stated this.

Hull. Q. Which side of the *cab* did you ride on? *A.* On the driving side—Morris sat on the near side—it was just before three o'clock—you jumped out of the near side of the *cab*, and ran down the gateway with the other man—I saw you run down the gateway—I never saw you before nor ever drank with you—I use the rank by King's-road sometimes, but do not drink at any public-house there—I have a brother who keeps *cabs*—I have not been drunk lately—I did not meet you five years ago when I was drunk, and beat you with a broomstick.

HENRY KIDNEY. I am a police-sergeant. I came down Horse-and-Groom-yard about a quarter before three o'clock—Masters told me he had found the boxes—while I was there with him, about five minutes before three o'clock, two men ran down the yard—Hull is one of them—they turned back directly they saw us, and ran away—we pursued them—Masters caught Hull—I ran out and stopped the *cab*—Morris was on the *cab* with the driver.

Cross-examined. Q. Did you ask the *cab*-driver where he brought the property from? *A.* Yes—he seemed quite confused, and never answered my question—he did not give any account of it till he went before the Magistrate next day—I was at the examination—what the prisoner said was

taken down—I did not see the Magistrate sign it, and do not know his handwriting.

THOMAS MALIN. I am a policeman. I know the two prisoners—I saw them together about two o'clock in the morning of the 6th of February, coming from a public-house at the back of Shoreditch church, leading into Hackney-road, in company with three men and a female—they were in Castle-street, which is seven or eight minutes' walk from the prosecutor's.

Cross-examined. Q. What time did you see them? A. Near two o'clock—it was not half-past two o'clock—I am the constable on the beat, and have to report to the sergeant the time the public-houses close—I heard the clock strike shortly before, I have every reason to believe, but their disorderly conduct took my attention—I will say the clock had not struck half-an-hour—they were making a noise, and being disorderly—one in their company was very drunk, but the prisoners were not drunk—they were not a mile from the prosecutor's—I went before the Magistrate at the second examination—I was there on another charge, and was asked if I had seen them.

MORRIS—GUILTY. Aged 22. } Of Stealing in the dwelling-house,
HULL—GUILTY. Aged 22. } but not of Burglary.

Transported for Ten Years.

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821. JOHN SHEAY and JAMES KELLY were indicted for stealing, on the 21st of February, 1 pair of trowsers, value 7*s.*, the goods of Robert Giles; to which they pleaded

GUILTY.—Confined Three Months.

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822. LUCY PATRICK was indicted for stealing, on the 1st of January, 1 shirt, value 3*s.*; 1 bed-gown, value 2*s.* 6*d.*; 1 flannel petticoat, value 4*s.*; and 1 sheet, value 5*s.*; the goods of Jones Shyer: 4 shifts, value 20*s.*; 1 sheet, value 5*s.*; 1 pair of stockings, value 4*s.*; 6 towels, value 5*s.*; 2 handkerchiefs, value 5*s.*; 1 collar, value 4*s.*; 2 flat-irons, value 1*s.*; and 2 table-cloths, value 4*s.*; the goods of Francis Halifax, her master; to which she pleaded

GUILTY.* Aged 32.—Transported for Seven Years.

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823. LEONARD BOWTELL was indicted for feloniously embezzling, on the 19th of February, the sum of 3*s.*, which he had received on account of Henry Ward, his master; to which he pleaded

GUILTY. Aged 14.—*Recommended to mercy.*—Confined Eight Days, and delivered to his master.

Third Jury, before Mr. Common Sergeant.

824. JOHN MILLER, EDWARD CARTER, and ALEXANDER TOWNSEND, were indicted for feloniously breaking and entering the dwelling-house of Charles Bohag, on the 13th of February, and stealing therein, 22 printed books, value 2*s.* 6*d.*; and 2 prints, value 6*d.*; the goods of said Charles Bohag.

SUSANNAH BOHAG. I am the wife of Charles Bohag, and keep a shop in Sumner-street, Chelsea—it is our dwelling-house, and is in the parish of St. Luke. On Thursday evening, the 13th of February, about half-past six o'clock, I heard a noise at the window, and drove some boys away from the window—it was the prisoners, I am certain—I never saw them before, but I saw them through the window, and told them to go away—the con-

stable about five minutes afterwards came and gave me information, and I missed about twenty-four books from the show-board inside the window, which was shut—I had seen it shut half-an-hour before they came to the window—I heard the window crack before I sent them away, but heard nothing afterwards—these books are ours—(*looking at them*)—they were safe that evening.

WILLIAM AUSTIN. I live in Yeoman's-row, Brompton. On Thursday evening, the 13th of February, about half-past six o'clock, I was along with the prisoners, near the prosecutor's—they said they were going somewhere, and asked me if I would go with them—I said I would, and we went to Mr. Bohag's, opened the window, and took the books—we all took some—we put them into a bag, went round into King's-road, and divided them—I took my share home, and they took theirs home—they gave me a valentine, and my little brother a "Red Rover"—Townsend gave me that as a share, and I went home—one of them came to me, and told me they had been *crabbed*, which means they were caught at it—when we took the books we went round to Mr. Haines's, in King's-road, and a little boy took out some balls of worsted.

JAMES BRADLEY (*police-constable B* 134.) I went and took the prisoners into custody—I found a valentine on Austin, another on Carter, and one on Austin's younger brother.

JAMES SMITH (*police-constable B* 50.) I searched Miller's house, and found under the bed a blue bag, containing some books and 22 prints—I went to Carter's, but found nothing there, or at Townsend's.

Miller's Defence. I bought some of the books in King's-road.

Carter's Defence. All that Austin has said is false—the others know I was not at the window at all—Austin took the books.

MILLER—GUILTY. Aged 11.
CARTER—GUILTY. Aged 11. } Of Stealing only.
TOWNSEND*—GUILTY. Aged 13.

Transported for Seven Years.—Isle of Wight.

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825. GEORGE BEDFORD was indicted for stealing, on the 8th of February, 1 box, value 1*s.* 6*d.*; 21 brass cocks, value 1*l.* 5*s.* 6*d.*; and 120 brass fender feet, value 2*l.* 4*s.* 6*d.*; the goods of George Furby; to which he pleaded

GUILTY. Aged 23.—Confined Three Months.

(The prisoner received a good character, and was recommended to mercy by the prosecutor.)

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826. MARY ANN FREELAND was indicted for stealing on the 12th of February, 28 yards of printed cotton, value 14*s.*, the goods of James Davey.

LEWIS LEWIS. I am shopman to James Davey, a linen-draper, in Whitechapel-road. About two o'clock in the afternoon of the 12th of February, I received information, in consequence of which I jumped over the counter, ran out, and saw the prisoner running, and part of the cotton hanging from her shawl—I overtook her, and she handed the print to me, said she never would do any thing of the kind again, and began crying—I brought her back to the house, and gave her in charge—the print is the property of my employer—I had seen it half-an-hour before in the lobby of the door.

WILLIAM LAPWORTH. I took the prisoner into custody.

Prisoner's Defence. It laid down by the door, and I picked it up.

GUILTY. Aged 14.—Transported for Seven Years.—Penitentiary.

827. GEORGE CHIFMAN APLIN was indicted for stealing, on the 25th of February, 1 sheet, value 3*s.*, the goods of John Buckwell.

JOHN BUCKWELL. I live at Hanwell. On the 24th of February the prisoner took a lodging of me—he got up in the morning, paid for it, and left—when he was gone I missed a sheet off the bed—this is it (*looking at it*)—I set off after him, overtook him, and brought him to the policeman at Staines, who searched his bundle, and found the sheet in it in my presence.

Prisoner. I did not steal it—I found it in my bundle after I got out—I did not put it there.

ROBERT TAYLOR. I am a police-sergeant. The prisoner was brought to the station-house, and the sheet was found in his bundle.

Prisoner's Defence. The ostler slept with me—I am certain I did not put it there.

JOHN BUCKWELL *re-examined.* The ostler had been with me about three months, and bore a very good character—the prisoner acknowledged to me in coming back that he had got the sheet, and wanted me to let him go.

GUILTY. Aged 18.—Confined Six Months.

828. GEORGE RICE was indicted for stealing, on the 2nd of March, 1 handkerchief, value 3*s.*, the goods of Harrison Thompson, from his person.

ROBERT TYRRELL. I am an officer of the Post Office. On the 2nd of March, about ten minutes after six o'clock in the evening, I was on duty, and observed the prisoner very busy among the gentlemen, who were paying letters—there was an immense crowd—I saw the prisoner had no letter, and watched him—I saw him take the gentleman's coat flap up, and take the handkerchief out—I took it out of his hand before he could dispose of it—I searched him, and found two silk handkerchiefs on him—I asked him if they were marked—he said, "No"—I found one was marked—Mr. Thompson claimed the one I saw him take—I asked him where he lived—he said, "No. 1, Nottingham-court, King-street, Long Acre," and worked with his father, who was a shoemaker, but in his pocket I found a card, with 'John Kittle, Newspaper Agent, High Holborn," on it—I went there, and found he had gone into that employ that very day—he had been sent with newspapers to the Office, and his master was surprised he had not returned.

Prisoner. The handkerchief was hanging out of the gentleman's pocket. *Witness.* It was not—it was an inside pocket he had—he said he had brought a letter to the post wrapped up in one of the handkerchiefs.

HARRISON THOMPSON. I live in St. Paul's Church-yard—this is my handkerchief—(*looking at it*)—I lost it that evening.

Prisoner. His pocket was ripped right open, and the handkerchief was out. *Witness.* My pocket was torn a little across.

GUILTY.† Aged 14.—Transported for Ten Years.—Isle of Wight.

829. SARAH MAHER was indicted for stealing, on the 19th of February, 1 purse, value 3*d.*; 6 sovereigns, and 1 half sovereign, the property of John Williams, from his person.

JOHN WILLIAMS. I am a wine-cooper, and live in George-street, Oxford-street. On Wednesdsy, the 19th of February, I got a cheque for 8*l* cashed, and had seven sovereigns and a half in gold, and 10*s.* in silver—I got drunk, and was out all night—I met the prisoner about four o'clock in the morning, and went with her to the Feathers public-house, Oxford-street—we got drinking together at the bar, and sat down before the bar on a seat—I know I then had six sovereigns and a half and some loose silver in my right-hand pocket, in a small brown bag, which I have now—I am sure it was safe then—she contrived to get it out of my pocket—I did not see her do it, only a person asked if I had any money about me—I said, what was that to him—he said, "Search your pockets," which I did, and missed my bag and money—he took the bag off the floor before that, and produced it to me, and I claimed it—the prisoner was present—I said, "Where is my money?"—he said, "That woman has robbed you"—I immediately took hold of her, held her till a policeman came, and gave her in charge—she was taken to the station-house, and six sovereigns found on her—I had seen her pay for something at the bar.

Cross-examined by MR. PAYNE. *Q.* You were very drunk, were you not? *A.* I could not be perfectly sober—I was not so very drunk but I counted my money while I was there—I charged a man with taking my money—I gave both him and the prisoner in charge but he was let go before the Magistrate—I thought he was concerned with the prisoner—it was not him that told me I was robbed—it was another man—the waterman, Woodford, was present besides the prisoner and the other man—I gave Spooner into custody—(*looking at his deposition,*) this is my signature—it was Woodford asked me if I had lost any thing—Spooner might have asked me, as he saw the money taken—(*The witness's deposition being read, stated,*—"The prisoner, Spooner, and myself were the only persons there, except the person serving in the bar."—I mean the only persons drinking, but the waterman was coming in and out—persons were coming backwards and forwards—Spooner was examined as a witness before the Magistrate—I cannot tell what I had drank that day—it was spirits—Woodford is the man that gave me my bag—not Spooner—I am a Welchman.

COURT. *Q.* Are you sure you had your money when you went to the house? *A.* I am—I received information in the prisoner's presence that I had been robbed—I searched my pocket, and found my money gone, and the waterman picked up the bag.

JOHN SPOONER. I am a servant out of place, and live in Hunter's-mews, Brunswick-square. I was at the public-house, as the waterman was unwell, and at half-past four o'clock in the morning I rang the bell at the Feathers public-house as usual, and they came down—I took down the shutters—I saw the prisoner and prosecutor come up the street, and they went in to have some drink—when the waterman came I sat down in the house, and saw them drinking gin and beer together—I sat on the seat by the side of them; but before that they were standing against the bar, and I saw the prisoner take the brown purse from the prosecutor's right-hand pocket, but what was in it I did not see—they sat down after that, and the prosecutor fell asleep—when the waterman came in I told him what I had seen—I did not know but the prisoner was his wife.

Cross-examined. *Q.* Did you, when he awoke, ask him if he had lost any thing? *A.* I did not—I mentioned it to the waterman, and the water-

man did, and he felt in his pockets, and said he had lost all his money—he accused me and the prisoner of taking it, and gave me into custody—I was taken to the station-house—I was a little the worse for liquor, I was not very drunk—I heard the policeman tell the Magistrate that I was very drunk, and I denied it—I saw all that was going on—I thought they were man and wife—they seemed very familiar together.

JOHN MURRAY. I am a policeman. I was called to the Feathers public-house, and found the prisoner, Spooner, and the prosecutor—the prisoner and Spooner were charged with robbery—she said she had 2*s.* 2½*d.* about her—she pulled some money out of her pocket—I did not notice what it was—she called the prosecutor an old vagabond, and wanted to get at him to fight him—she said she had 2*s.* 2½*d.* and a key, and no more—I took them to the station-house.

Cross-examined. *Q.* Was Spooner very drunk? *A.* He was drunk—the prosecutor was not so drunk but he knew what he was about—Spooner was very drunk, the prosecutor was not very drunk—(*looking at his deposition*)—this is my signature—it was read over to me—the prosecutor and Spooner were drunk, and if you wish to have it so, very drunk.

JOHN SPOONER *re-examined.* My deposition was read over to me before the Magistrate, and I made my mark to it.—(*The witness's deposition being read stated, "When he awoke up I asked him if he had lost any thing, and he said he had lost all his money."*)

Q. After having heard that, do you mean to swear you did not ask him whether he had lost any thing? *A.* Not till after I had mentioned it to the waterman—I did ask him if he had lost any thing.

MARY ECKETT. I am a searcher at the station-house. I searched the prisoner when she was brought there—as I was going to take her down stairs to search her she pulled two half-crowns, a sixpence, and a key out of her pocket, and declared it was all she had about her, and I need not take the trouble of searching her clothes—when I took her down she wanted to pull off her shoes and stockings—I said, "That is not the usual way, you must take off your gown"—she said, "You need not undo me further, I have nothing about me"—I said, "I must do my duty"—I unloosed her stays, and she kept her arm quite tight—I heard something rattle, put my hand into her bosom, and took out six sovereigns—she said, "Oh! don't split, and I will give you one"—she then said she would give me two—I went to count them, and she said, "There are six, and I will give you three, which is half, if you will not say any thing about it."

Cross-examined. *Q.* Was she drunk? *A.* She was, but not so drunk but what she knew what she was about—she tried to conceal it all in her power.

WILLIAM WOODFORD. I was at the Feathers public-house on this morning, about ten minutes past six o'clock, and saw the prisoner and prosecutor there—they seemed rather in liquor, and very comfortable together—I went out to water the horses, and in about a quarter of an hour or twenty minutes came in again—I saw the purse lying down by the side of the counter—I picked it up, and said, "Here is the purse, but there is not a fraction in it"—I turned it upside down for the bar-man to see, and went out again—the prosecutor was asleep on the bench then.

Cross-examined. *Q.* How long were you in the public-house altogether? *A.* Not above ten minutes—I was in and out—Spooner and I went in together, and there was one or two others there—I awoke the prosecutor

up, and asked him if he had lost any thing—I do not know whether Spooner did or not—I did not go before the Magistrate—if I had been sent for I could have gone.

GUILTY. Aged 38.—Confined Six Months.

830. GEORGE WOOD was indicted for stealing, on the 25th of February, 1 pistol, value 2*s.* 6*d.*, the goods of Richard Carpenter.

HENRY LAURENCE. I am shopman to Richard Carpenter. On the 25th of February I saw this pistol on the stall outside—I missed it afterwards, and shortly after found it thrown inside a broker's shop—this is it —(*looking at it.*)

Cross-examined by MR. PAYNE. *Q.* Whereabouts is the broker's shop? *A.* At the corner of Angel-gardens, just turning the corner of the Back-road—it was about two o'clock when I found it—I had seen it safe that day—I know it by it being broken here.

AMELIA ROBINSON. I live in Philip-street, St. George's in the East. I was going by the prosecutor's shop, between twelve and one o'clock, and saw the pistol lying on the board—the prisoner was looking at the window—a dog laid in the way, which caused me to stumble—the prisoner passed me at the time, took up the pistol, went several steps, and then put it into his pocket—I went and told Mr. Carpenter, and then came and followed him—I saw him run into Angel-gardens—he passed the broker's shop where it was found, but I did not see him throw it in—he ran till he came to the broker's shop, and then he walked.

Cross-examined. *Q.* Perhaps your stumble over the dog confused you a little? *A.* No; I did not fall, but that made me stop at Mr. Carpenter's door—I was coming out of the shop—I did not lose sight of the prisoner.

RICHARD CARPENTER. I followed the prisoner, but did not see him throw the pistol away—he passed the broker's shop, and I took him afterwards—I had seen the pistol safe ten minutes before.

JOSEPH HARROW. I am a policeman. I have the pistol.

(The prisoner received a good character.)

GUILTY Aged 24.—*Recommended to mercy.*—Confined One Month.

NEW COURT.—*Wednesday, March 4th,* 1840.

Fifth Jury, before Mr. Recorder.

831. WILLIAM METCALF was indicted for forging three separate requests for the delivery of goods; to which he pleaded

GUILTY. Aged 30.—Confined Two Years.

832. HENRY SNOWDEN was indicted for stealing, on the 26th of February, 1 hat, value 20*s.*, the goods of Joseph James Maberley.

EDWIN RUSSELL. I am one of the ushers of the Master of the Rolls. On the 26th of February I was on duty in that Court, between twelve and one o'clock—I saw the prisoner, and watched him for some time—I saw him place his hat down in a recess of the window—I looked into the hat before he put it down, so that I should know it again—he then went and stood by the bar of the Queen's Counsel, between the two windows, and was watching about—he then walked towards the other window, looked at a hat once or twice, and came back again; then he went to that

place again, and went out very quickly—I was on the other side of the Court—I followed him outside the swing-doors—I stopped him, and asked about the hat—he said it was a mistake, he had a hat of his own—there was no resemblance in the quality between his hat and the one he took—they are both here—this is the one he put down, and this the one he stole—(*producing them*)—they have the names of the makers in them, but are not the same—I brought him back.

Prisoner. I was not outside *Witness*. You were outside the Court-door, but not in the street—you said you were very sorry you had made a mistake, and that it was the first time—your hat was on the floor, and Mr. Maberley's on the form.

COURT. *Q*. What did the prisoner appear to be doing there? *A*. To be looking at his Lordship and the Counsel, and Mr. Maberley was attending to a judgment his Lordship was giving—the Court was crowded.

JOSEPH JAMES MABERLEY. I live in Harley-street, Cavendish-square. I was in the Rolls Court on the 26th of February—I placed my hat on the form between two windows—I afterwards saw the prisoner in custody, and my hat in possession of the usher of the Court—I delivered it up to the constable—it was nearly a new hat—I was engaged in a case there—this is my hat—(*looking at one.*)

ISAAC SLADE (*police-constable F* 63.) I was called to the Rolls Court, in Chancery-lane, on the 26th of February, and took the prisoner—I produce the hat—it is the same—the prisoner had no money on him then.

(*The prisoner, in a long address, stated, that he had been for some time subject to an overflow of blood to the head, which occasioned a giddiness and stupefaction, and in that state he had taken the prosecutor's hat by mistake; but when he got into the street he should have perceived his error, and have returned it.*) NOT GUILTY.

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833. CHARLES BELCHER was indicted for stealing, on the 8th of February, 1 carpet, value 18*s*.; and 1 jacket, value 4*s*.; the goods of Francis Wiggs.

KEZIAH WIGGS. I am the wife of Francis Wiggs, who keeps a clothes-shop in High-street, Poplar. On Saturday, the 8th of February, the prisoner came to my house about twenty minutes past ten o'clock, and asked for a halfpenny-worth of hooks and eyes—I showed him some out of the window—he said they would do—I cut them off—he took them and went out—after he was gone I missed a carpet and a flannel jacket—the carpet had been sold, and done up in a small compass to go home, and the jacket was on the counter—I saw the prisoner run up the street—I informed the police—while he was running I noticed a flannel jacket under his arm—Hale-street is near our house—I have since seen some hooks and eyes, which the policeman has got—they are exactly the same as I sold the prisoner—my carpet was a light one, with a little green, a little red, and a drab corner.

HENRY HUNT. I am a sawyer, and live in Mary-street, Bromley. On the 8th of February I was in Hale-street, and the prisoner passed me—he was running towards the East India-road, with a carpet and flannel jacket under his arm—he took the direction towards Bow-common—he came from the direction of High-street, Poplar, and I gave information to Mrs. Wiggs.

CHARLES SCOTNEY. I am a milkman, living in Wades-place, Mile-end-road. On the 8th of February I met the prisoner in Bow-common-lane—he had a carpet rolled round some flannel.

RICHARD BRINKNER (*police-constable K* 227.) On the 8th of February I went in search of the prisoner, and found him at his sister's lodging in Bridge-street, Stepney—when I went to the house, they said no such person lived there—I went in and saw him with his hat and coat off, before the fire—I asked if there was a person named Belcher lived there—the prisoner said no—I looked about for the carpet—the prisoner got up—I saw his face, and recognised him as the person I had seen in High-street, Poplar, that morning, and took him in charge—I went back to the lodging in the evening, and found this piece of card on the mantel-piece, and these two hooks and eyes in a little ornament on the mantel-piece, close by where the prisoner had been sitting.

Prisoner. *Q.* What did you ask for? *A.* If Charles Belcher lived there.

KEZIAH WIGGS *re-examined.* These hooks and eyes are exactly like what I sold the prisoner, and this bit of card exactly fits the card I cut it off of.

GUILTY.* Aged 18.—Transported for Seven Years.

834. JOHN COLLINS was indicted for stealing, on the 10th of February, 1 handkerchief, value 3*s.* 6*d.*, the goods of John Lambert, from his person.

JOHN LAMBERT. I live at Carter and Co's., in Aldermanbury. On the night of the 10th of February, I was between St. Giles's church and Day and Martin's, in Holborn, between ten and eleven o'clock—I missed a handkerchief from my pocket, which I had occasion to use about two minutes before the witness spoke to me—I went back, and saw the prisoner in the hands of an officer—he was searched in my presence, and my handkerchief found on him—this is it—(*looking at one*)—the pavement was very wet and dirty, if the handkerchief had fallen, it would have been soiled, but it was not.

JOHN CAPON. I live in Union-row, Kingsland. About eleven o'clock at night, on the 10th of February, I was going from St. Giles's church towards the City—I saw the prisoner, and two other persons about his size, together—I saw one of the three take a handkerchief out of the prosecutor's pocket—I pointed out the three persons to the officer—I ran after the prosecutor, and brought him back to where the prisoner was in hold—I am quite sure he was one of the three who were in company together when the pocket was picked—the pavement was very muddy—I did not see any handkerchief on the ground.

HENRY HALL (*police-constable E* 66.) I was in Broad-street, St. Giles's, on the 10th of February—Capon pointed out three persons to me, the prisoner was one of them, and I took him—the others ran off, one to Drury-lane, and the other up Museum-street—I found this handkerchief in the prisoner's coat pocket—there was no mud on it—the prisoner said he picked it off the curb.

Prisoner's Defence. I was out that night looking at the illumination—I was returning home, three or four persons were before me—I saw something white on the curb—I took it up—it was this handkerchief—it was rather damp, but had no mud on it—I had it in my hand five minutes before the officer took me—he brought me back, and the gentleman said he

had lost a handkerchief—I took ito ut of my pocket, and said I had picked it up.

GUILTY. Aged 28.—Confined Twelve Months.

835. JANE BROWN was indicted for stealing, on the 4th of February, 3 sheets, value 5*s*., the goods of Harriet Milberry.

ELLEN DONOVAN. I live in George-street, St. Giles's—I have the care of a house belonging to Harriet Milberry—it is a house to which men and women are admitted. The prisoner applied for a lodging there on the 3rd of February—a young man came with her, who went away the next morning, at seven o'clock—the prisoner came down between nine and ten o'clock—she said she was very late from her work—she appeared stout—I went up stairs before I would let her go out, and on going into the next room to where she had been, I missed two sheets off one bed, and one off another—I came down, and met her going up—she said she had left some money under the pillow—I said I had missed three sheets, she said she had not got them—I searched her, and found two under her petticoat, and one under her shawl.

Prisoner. A young woman who slept in the next room to me, gave me the sheets. *Witness.* There was a young woman slept in the next room, but I did not see her.

JEREMIAH CAMPBELL (*police-constable E* 121.) I received the prisoner and the sheets in charge—the prisoner told the inspector she took the sheets because she had no money, and she wanted to get to her father in the country—she had no money on her.

GUILTY. Aged 18.—Confined Fourteen Days, and to be delivered to her father, who promised to provide for her.

836. FRANCIS SKINNER was indicted for stealing on the 8th of February, 1 half-crown, and 1 shilling, the monies of James Fowler, from the person of Joseph Gale.

JOSEPH GALE. I am nine years old—I know the necessity of speaking the truth—I live with my cousin, Emma Fowler, in Grove-court, Lady Lake's-grove. On Saturday morning, the 8th of February, I went to a pawnbroker's to get a frock out of pledge—I had a half-crown and a shilling in my right hand—I met the prisoner in Lady Lake's-grove—he asked where I was going—I said, no where particular—I had the money in my right hand, and the edge of the half-crown was out of my hand—the prisoner stooped down as if he was talking to me—he knocked my hand, and the money fell on the ground—he picked up the half-crown and then the shilling, and ran up Greenwood-street, which leads to Mile-end-road—a lady at the bottom of the street cried, "Stop thief," and a gentleman ran out of Roper's public-house, and caught the prisoner—I saw the money on the ground after he *chucked* it down, but I did not see him *chuck* it down—I am sure he is the boy who knocked the money out of my hand.

EMMA FOWLER. I am the wife of James Fowler. The witness Gale lived with me and my sister—I gave him a half-crown and a shilling to go to the pawnbroker, and the duplicate—I afterwards saw a crowd at Mr. Avila's, the pawnbroker's—the half-crown and shilling laid down, and the prisoner was in custody.

JAMES BENTON. I live in Devonshire-street east, and am a cork-cutter. On the 8th of February I was in Mile-end-road—I heard the little boy call

"Stop thief"—I saw the prisoner run across the road—he threw a half-crown and a shilling down the area next door to Mr. Avila's.

SIMON WILSON (*police-constable*, 230 *K.*) I saw the prisoner in Mile-end-road, and heard the alarm—I took the prisoner, and received this half-crown and shilling from the servant of the house next door to Mr. Avila's—these are them.

Prisoner's Defence. The little boy opened his hand and showed me the money, and offered it to me—he dropped it, and I took it up.

GUILTY.* Aged 14.—Confined Six Months.

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837. SARAH ANN PALMER was indicted for stealing, on the 13th of February, 1 sleeve, value 7*s.*; 1 waistcoat, value 2*s.*; 1 pair of garters, value 8*d.*; 2 pairs of stockings, value 11*s.*; and 1 shirt, value 4*s.*; the property of Philip Robert Newman.

PHILIP ROBERT NEWMAN. I am a hosier and tailor, and live in Regent-quadrant. The prisoner was in my service for about seventeen days, up to the 13th of February, when in consequence of something I called her into the parlour, and stated that some things were missing—she denied taking any, and offered that her boxes should be searched—I went up stairs with her—she turned the things out of her box—I found nothing but some handkerchiefs which I then thought to be mine, and which I now know to be mine—I then searched her bed, and found a number of these articles made up like a pillow on one side, and the bolster was doubled, and made a sort of pillow on the other side, and being covered with the pillow-cases it appeared a well made bed—I found this pair of garters which I suppose she took from the shop—the other things were wrapped up in the blanket—this lambswool waistcoat I can identify, having marked it myself, and it had got soiled in the shop—this lace sleeve belongs to my wife—I know these handkerchiefs, as I had been serving a customer with some a few days before, and showed him the parcel in which these were—when I found these, I sent down to one of the shopmen to bring up the parcel, and it could not be found—in a parcel behind the prisoner's room door I found this other handkerchief which had been taken from the same parcel—I sent for an officer, and gave the prisoner in custody—I have since then missed nearly 20*l.* worth of property.

THOMAS MARCHMONT (*police-constable C* 49.) I was sent for to take the prisoner—I searched her box—I found these stockings and mits there—I searched the kitchen, and found a shirt, which she admitted taking as a pattern—she admitted taking the things found in her bed, and begged forgiveness, and fell on her knees.

(The prisoner received a good character; and James Andrews, a licensed victualler, of Chelsea, promised to employ her.)

GUILTY. Aged 21.—Confined Six Months.

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838. JOHN DAVIES was indicted for stealing, on the 11th of February, 18lbs. weight of lead, value 2*s.*, the goods of Francis Bramah and others, his masters.

JONATHAN HAGGIS. I am a fitter's labourer to Mr. Francis Bramah and his partners. The prisoner was in their employ as a bricklayer—I was at work at a club-house in St. James's-street, and the prisoner was employed on the same job—I was using this lead on the 11th of February, and left it in the area—I know one of these pieces of lead in particular—they are the property of my masters, and are worth about 2*s.*—I had left one of them in a ladle.

Cross-examined by MR. PAYNE. *Q.* What time did you leave it? *A.* I had done using it at one o'clock, but I saw it at four o'clock, when I left the premises—it had been there from the Saturday before—I have been three years in the prosecutors' employ—I have been in the police, but have left it nine years—I can swear to one of these pieces of lead, which has a chisel mark on it—(*examining it.*)

HENRY HUGHES (*police-constable B* 145.) On the night of the 11th of February I saw the prisoner in Brewer's-green—he had a sack, which contained this lead—I asked what he had got—he said, "Some tools"—I opened the sack, and found this lead, but no tools—he told me the plumber where he had been at work, in St. James's-street, Piccadilly, gave him the pieces of lead.

(The prisoner received a good character.)

GUILTY. Aged 40.—*Recommended to mercy.*—Confined Three Months.

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839. JOHN STANLEY was indicted for stealing, on the 8th of February, 1 piece, containing 7 handkerchiefs, value 30*s.*, the goods of William Ward.—2nd COUNT, stating them to be 6 yards of silk.

ELIZA BALLARD. I live in Bishopsgate-street, and am assistant to Mr. William Ward, a hosier. On Saturday evening, the 8th of February, I was in the shop—the prisoner opened the shop-door, and took a piece of silk-handkerchiefs from the counter—he ran off—I called to Mr. Ward, and he ran after him—this is the piece of handkerchiefs—(*examining it*)—it contains seven handkerchiefs, which are not divided.

WILLIAM WARD. I was in my shop on the 8th of February, about five o'clock in the evening—I ran out, and took the prisoner in Throgmorton-street—he had this piece of silk handkerchiefs on him, which are my property.

Prisoner's Defence. I was in great distress, and had no means of supporting myself.

GUILTY. Aged 19.—Confined Four Months.

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840. LOUISA SMITH was indicted for stealing, on the 25th of February, 1 watch-key, value 1*d.*; 1 key, value 6*d.*; 1 half-sovereign, 2 half-crowns, 1 shilling, 1 sixpence, 4 halfpence, and 1 farthing; the property of Ernest Leverett Foster, from his person.

ERNEST LEVERETT FOSTER. I am a chaser, and live in Bateman's-buildings, Soho-square. Early in the morning of the 25th of February I met the prisoner in Sutton-street, and went with her to a house in Crown-street—I had my money in my pocket when I went into the room—after I had been there a short time I missed my money, and charged her with taking it—she used very bad language, and I was obliged to call the policeman—I then saw him take the money off the top of the bed—I had not been on the bed—I was sober at the time.

CHARLES POCOCK (*police-constable F* 116.) I was on duty between one and two o'clock in the morning of the 25th of February, in Crown-street—I heard a call for the police, and I went to the house—the prosecutor accused the prisoner of robbing him of a half-sovereign, a shilling, and two half-crowns—I took her into the room on the first floor—she went to the bed, laid hold of the bed-clothes, and said, "This is the bed the gentleman was on with me"—she dropped the money from her hand on the bed, and pulled the counterpane over it—I found a half-sovereign, a half-crown, a shilling, a sixpence, 2½*d.*, and two keys—these are them—(*producing them*)—I told

the prisoner she had dropped it on the bed—she denied it, and said it must have got out of the prosecutor's pocket on the bed—when we got to the street one half-crown fell from the prisoner's person—the prosecutor took it up, and gave it to me—I had previously asked her where the two half-crowns were, and she said she had not got them—she pretended to be intoxicated, and when we got to another street she fell down on a grating, and I heard two distinct pieces of money fall down.

Prisoner's Defence. That which fell from me was my latch-key, and a shilling which the gentleman gave me for going with him—the half-crown that fell from my bosom was one of my own.

MR. FOSTER *re-examined.* I had given her a shilling, but not a half-crown.

GUILTY.* Aged 26.—Transported for Ten Years.

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841. JAMES HARES was indicted for stealing, on the 20th of February, 2 boots, value 15*s.*, the goods of John Born.

JOHN BORN. I am a shoemaker, and live in Duke-street, Grosvenor-square. I employed the prisoner to whitewash and colour my kitchen—he left about five o'clock on the 20th of February, and I missed two boots from the shop window when he was gone—these are them—(*examining them.*)

JOHN LEOMIN. I am shopman to Mr. Gofton, a pawnbroker. These boots were pawned by the prisoner on the 20th of February, in the name of John Hares.

Prisoner. I had been out of work twelve weeks through the frost—I was distressed.

GUILTY. Aged 28.—*Recommended to mercy by the Jury.*—Confined Three Months.

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842. JOHN WILLIAMS was indicted for stealing, on the 22nd of February, 1 pair of trowsers, value 1*s.*; 2 shirts, value 2*s.*; 1 pair of drawers, value 1*s.*; 1 pair of stockings, value 6*d.*, and 1 frock, value 1*s.*; the goods of Francis John, in a certain vessel, in a port of entry and discharge.

FRANCIS JOHN. I belong to the brig *Enterprize*, which was lying in the south quay of the London Dock, which is within the port of London. I was in the cabin on the 22nd of February—the mate called my attention, and I saw the prisoner on the quay of the dock with a bundle—I went on shore after him, and asked him where he got that bundle—he gave it to me, and it contained my flannel shirts, my drawers, smock-frock, stockings, and trowsers—they were all mine—in a few minutes the prisoner was brought on board by an officer, and I delivered him the things which I had taken from the prisoner—they had been kept in a chest in the forecastle which was broken open.

Prisoner. At the time you took the things from me, were there other persons there? *Witness.* There were plenty of people about the quay, but I did not see an officer to give you in charge, and I could not leave my ship—I did not see Fitzpatrick.

DANIEL VALDER. I am a constable of the London Dock. I saw the prisoner there on the 22nd of February—he ran over the bridge past me—I stopped him, and told him he was accused of robbing a vessel in the south quay—I took him on board the *Enterprize*—he said he did it from starvation—I produce these articles.

Prisoner. The prosecutor had sold some things to Fitzpatrick, and he

gave me these things—when the prosecutor took me, I gave him these things—he struck me two or three times, which he cannot deny—I stood along side his vessel after he went on board.

FRANCIS JOHN *re-examined.* I had not sold any thing that day—the prisoner was about ten yards from the stern of the vessel when I saw him—he was walking away, and looking at the stern of the ship.

GUILTY.* Aged 40.—Confined One Year.

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843. WILLIAM HUTCHINSON and JOHN GRIFFITHS were indicted for stealing, on the 19th of February, 11b. weight of tea, value 6*s.*, the goods of George May.

JOHN MILES (*police-constable N* 110.) I saw the prisoners on the 19th of February, in the Chalk road which leads from King's Cross to Holloway—they were in conversation—as soon as they saw me, they ran—I pursued them, and saw a parcel under the tail of Hutchinson's coat, and he threw it into a field—I called to a man to stop the prisoners, which he did, and I took them—a man got the parcel, and gave it to me—it contained a pound of green tea—I took them to the station, then went and made inquiries—I found on Griffiths three or four figs in a paper—I went to Mr. May's, and spoke to the shopman—this is the parcel which had been under the tail of Hutchinson's coat—(*producing it*)—Hutchinson told me he took it from a boy who was asleep by a wall in a field, and Griffiths said, "If you like, you can come with me, I dare say you will find him there now."

Griffiths. I went and bought a pennyworth of figs—I never said any thing about the tea—I know nothing about it.

HENRY WILD TAYLOR. I am apprentice to Mr. George May, a grocer, at King's Cross, which is about fifty yards from the Chalk road. On the 19th of February I saw the two prisoners at the shop, between ten and eleven o'clock—Griffiths paid me for a pennyworth of figs—as soon as they were gone, I missed a pound of green tea, which had been on the counter done up with several other parcels—the prisoners were close to them—I had not put a mark of the price outside the parcel, but I can tell this is it by the tea, and by the manner in which the parcel is done up—I did it up myself—the tea is worth 6*s.*—Griffiths came a little way from Hutchinson when he paid for the figs, but before that they were standing close together—they were nearest to the tea when they were standing together—Mr. May has no partner.

(George Ringland, a type-founder; and Jane Bantly, of White Horse-court, gave Hutchinson a good character. Elizabeth Woolmer gave Griffiths a good character.)

HUTCHINSON—GUILTY. Aged 14.
GRIFFITHS—GUILTY. Aged 14. } Judgment Respited.

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844. PATRICK DESMOND was indicted for stealing, on the 28th of February, 1 tub, value 4*s.*; and 65lbs. weight of butter, value 2*l.* 8*s.*, the goods of George Perry and another; and that he had been before convicted of felony.

JOHN HORTON (*City police-constable, No.* 103.) On the night of the 28th of February I was on duty in King William-street, near Scarlett's ham-and-beef-shop—I saw the prisoner following a cart in the street—he took a cask out of the cart, as it turned round towards the Bank—the prisoner turned towards Gracechurch-street, and a person told the carman he had lost a cask—he jumped out of the cart, and he and I followed the prisoner—he had got the cask on his shoulder, and I took him with it.

Prisoner. *Q.* Why did you not come and take me when I took it? *A.* I did not know you had stolen it then—I thought you might have had permission to put it into the cart to carry over the bridge, as is often the case.

NICHOLAS HENRY MEARS. I am carman to Mr. George Perry and Francis Gill, they are wholesale cheesemongers, and live on Dowgate-hill. On the 28th of February, when I came to the rise of King William-street, I heard of a cask of butter being stolen—I jumped out and ran with the officer—I took the prisoner with it on his shoulder—it was my master's.

Prisoner. A man asked me to carry it to Bishopsgate-street, and said he would give me a shilling.

JAMES TUGWELL (*City police-constable, No.* 144.) I produce a certificate of the prisoner's former conviction, from Mr. Clark's office—I was present at his trial twelve months ago—I know he is the person—(*read.*)

GUILTY. Aged 19.—Transported for Ten Years.

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845. EDWARD JOHN WILLIAMS was indicted for stealing, on the 12th of February, 2 watches, value 2*l.*; 1 guard-chain, value 4*s.*; 1 pencil-case, value 3*s.*; 1 seal, value 5*s.*; 3 breast-pins, value 3*s.*; 1 brooch, value 4*s.*; 8 toothpicks, value 2*s.*; 1 pair of pistols, value 25*s.*; 3 printed books, value 6*s.*; 3 handkerchiefs, value 6*s.*; 2 half-crowns, 5 shillings, 2 sixpences, 1 groat, 1 penny, and 12 halfpence; the property of Jacob Russell, his master.

JACOB RUSSELL. I am a pawnbroker, and live in Shoreditch. The prisoner was my errand-boy from about October till February—his friends live in the Old Kent-road—the prisoner was very much distressed, and they used to pawn at a shop of mine in the Kent-road—his mother told me a distressing tale, in consequence of which I said I would get her elder boy to another pawnbroker, and I took the prisoner—on the 12th of February, in consequence of some suspicion, I called the prisoner into the kitchen, and directed him to turn out his pockets—he took out some things, but very trifling, but I saw that some of them had belonged to my warehouse—I said, "You have more than one pocket"—he said he had not, but I felt, and took from his pocket this pair of pistols, and the duplicate with them—I then put my hand into his pocket again, and found 12*s.* in silver—he said he had taken that on the Monday before, and 3*s.* 6*d.* more—I found two silk handkerchiefs on him—I had kept money in a cupboard below—I had not given the prisoner any wages, but generally on a Sunday I gave him a sixpence or a shilling—I went up stairs, and in his trowsers I found this watch, and then this other watch and this jewellery—he said they were all mine, and he had taken them from the warehouse—as we were going up stairs from the kitchen, he went into a corner of the shop, by the fire-place, and said, "Stop a minute"—he put his hands together, and appeared to be in prayer—I did not disturb him—we then went up stairs—I found amongst his things up stairs, a bible, a hymn-book, and another book—he said he had taken them from me, and destroyed the duplicates—I found his cloak and trowsers under the sofa, and in the trowsers I found these watches and other things—the whole of the property is worth 4*l.* or 5*l.*—this handkerchief was produced from a drawer—when I asked him what he had done with the 3*s.* 6*d.* more which he said he taken from the cupboard, he stated that he had sent half-a-crown to his mother in his stockings, and that he had sent her half-a-crown or 3*s.* 6*d.* a week—I can

identify this pair of pistols and this seal, which were found on him, as being mine.

CHARLOTTE LEAFE. I am in the prosecutor's service. I saw the prisoner in the shop on the 10th of February, the day the shop was closed, owing to the marriage of her Majesty—the prisoner was at the till—I put some question to him, and he said he wanted the key of the cupboard, to get a book in the name of Beckwith—I told my master of it, and saw my master find the articles up stairs, under the sofa.

MARTIN ROOTS (*police-constable H* 170.) I was called to the prosecutor's and took the prisoner, and have this property—the prisoner pointed to a cupboard, and said he had taken the silver from there, and he had taken some from there twice before.

Prisoner. I said I had only taken it once before.

GUILTY. Aged 11.—Transported for Seven Years.—Isle of Wight.

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846. EDWARD DEAVES was indicted for stealing, on the 20th of February, 1 pair of boots, value 6*s*., the goods of Peter Hayes.

PETER HAYES. I am a shoemaker, and live in High-street, Shadwell. I was in my parlour on the 20th of February—there is only a glass partition between that and the shop—I can see every part of the shop—about a quarter-past one o'clock I saw the prisoner go out of the shop, and his hands were closed up to his person—he crossed the way, and I went after him—I missed a pair of boots—he turned towards Shadwell-market, and from thence to the wooden bridge—I then collared him, and accused him of stealing the boots—he gave them to me, and said, "Take them, I have plenty of money to buy more"—I took him back and sent for a policeman, and gave him the prisoner and the boots—these are them—(*examining them*)—they are not saleable, as they are not finished—the prisoner was searched, but he made a desperate resistance—it took three officers to search him—there was 3*s*. 6*d*. found on him, 2½*d*. in copper, and nine duplicates—he said he had bought the boots.

Prisoner. I had been drinking with three or four men, and a man in the street said, "Will you have a pair of boots?"—I said I did not want them—he said, "You shall have them a bargain"—he wanted 9*s*. for them—I said I would give him 6*s*.—he said, "No," and I went away—he came after me, and let me have them for 6*s*.—I got drinking again, and I cannot give the least account of what I did. *Witness.* I discovered the boots were gone before I followed the prisoner—I had put them down half-an-hour before—I had a suspicion from seeing his arms closed—he said he had bought them for 6*s*.—he ran as well as I could, and did not seem the worse for liquor.

JOHN LAIRD (*police-constable K* 294.) I took the prisoner to the station-house—he said he bought the boots in East Smithfield, for 7*s*. 6*d*.—I found 3*s*. 6*d*. in silver on him, and 2*d*. in copper.

Prisoner. I had a half-sovereign in the same pocket. *Witness.* No, there was not.

ROBERT HARWOOD VALENTINE. I am an inspector of the K division of police. I was at the station-house when the prisoner was given in charge—he said he bought the boots in East Smithfield, of a man, opposite St. Katherine's Docks—he did not appear in liquor—I sent him to the Police Court half an hour afterwards, and followed behind him—he afterwards assumed the appearance of being intoxicated, and they did not examine him till the next day.

Prisoner. I lost a jacket and a pair of trowsers—I cannot tell what I was doing. *Witness.* He was without a jacket.

GUILTY. Aged 27.—Confined Three Months.

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847. GEORGE SIMMONS was indicted for stealing, on the 21st of February, 3 handkerchiefs, value 10*s.* 6*d.*, the goods of James Cuff Pearce.

ALFRED GILBERT. I am in the employ of Mr. James Cuff Pearce, a hosier in Oxford-street. On the 21st of February, shortly before one o'clock, the prisoner came and wanted a pair of woollen gloves—I showed him some—they were too small—I then showed him some leather ones—he said they were too large, and asked if I had any others—I said, "No"—he then said he would leave 2*d.* on a pair of leather ones, as he had not sufficient to pay for them—he gave me a sixpence—I went to the till, and told him I had no change—he said he would leave the sixpence, and call again—I noticed he was putting some silk handkerchiefs by the side of him—he asked me the price of them—I made him no answer—he left the sixpence, and as he was going away I went before him, and said I thought he had more than he ought to have—he proceeded to the counter again, and took off his hat, and took three silk handkerchiefs out of it, and laid them on the counter with some others—I struck the floor with my foot, and my master came up—I told him what had happened—the prisoner denied it—an officer was sent for—these handkerchiefs are worth 10*s.* 6*d.*

JOHN GREEN (*police-constable E* 74.) I was called, and received the prisoner and these handkerchiefs—he denied that he had taken them.

Cross-examined by MR. PAYNE. *Q.* Did not he say it was his own handkerchief that he took out of his hat? *A.* Yes.

COURT. *Q.* Did you find any handkerchiefs on him? *A.* Yes—he had one with the portrait of *Jack* Shepperd in the middle, and a red border, but I do not think that could be mistaken for one of these.

ALFRED GILBERT *re-examined.* I can swear it was these three handkerchiefs that the prisoner took out of his hat—he had his own handkerchief in his breast pocket—here is the mark on these handkerchiefs. I was not more than two yards from him when he took them from his hat.

GUILTY.* Aged 18.—Confined Six Months.

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848. WILLIAM HOLLINGSWORTH BUTLER was indicted for stealing, on the 14th of February, 1 oz. weight of cotton, value 3*d.*; 4 oz. weight of thread, value 9*d.*; 18 yards of tape, value 9*d.*; and 12 balls of cotton, value 6*d.*, the goods of Thomas Key; and that he had been before convicted of felony.

THOMAS KEY. I live in Praed-street, Paddington, and am a labourer—my wife keeps a toy-shop, and sells cottons. I recollect about the 1st of February, hearing some glass falling in the street, (that was the first time the glass was cut)—I saw some boys in the street, and the prisoner was one of them—in consequence of that, I put some pasteboard up against the window. On the 14th of February I was in the shop, and saw the prisoner in the street—he plunged his hand into the broken pane, and I saw him extract sundry articles from the window—I ran out, and saw him drop the cotton just by the window—I pursued him, and in about half a minute he was taken in Market-street—when I stopped him, he fell on his knees and said, "Pray let me go; I have taken nothing, but I will discover to you the other parties who have taken your goods away"—I took him back to my shop, and gave him in charge—I know this cotton which I picked up

to be mine—I bought it in Coventry-street—I lost some other cotton from the window, which I had bought at the same place—I lost some thread also—the prisoner dropped this cotton, that I should stop and take it up, but I did not, and when I came back Mrs. Starling gave me the cotton which she had picked up—I am sure it is mine, and that the prisoner dropped it—I had been serving some of it not two minutes before.

GEORGE MERRETT (*police-constable D* 198.) I was on duty in Praed-street on the 14th of February—I went up to the prosecutor's shop, and the prisoner was given to me—the prosecutor gave me this cotton—I found on the prisoner this knife, the point of which is ground in the shape of a putty knife, and this piece of wire, which is made into a hook to hook things out.

Prisoner. I was walking home—this gentleman came and took me—my father used this knife to put up putty with. *Witness.* He told me it was for cleaning bricks, and he said at the station it was for cleaning tools.

ALFRED BLUNDELL (*police-sergeant T* 9.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office (*read*)—the prisoner is the person who was tried.

GUILTY. Aged 16.—Transported for Ten Years.

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849. THOMAS NEWMAN was indicted for stealing, on the 17th of February, 1 purse, value 1*d.*; 1 half-crown, 13 shillings, 19 sixpences, 2 groats, 2 pence, and 2 halfpence; the property of James Leather, from the person of Mary Leather.

MARY LEATHER. I live at Cranford, and am the wife of James Leather. The prisoner and his mother came to our house, on the 17th of February, and had a pint of ale—they were there about an hour—while they were there I had occasion to give change for sixpence—I pulled out my purse, and put the sixpence in it—I returned the purse into my pocket—I had a half-crown in my purse, and some shillings and sixpences, upwards of 25*s.* in all—the prisoner had first sat on my left-hand, and then he removed to my right-hand side, which brought him next to my pocket—I had a child in my lap, and noticed the prisoner several times to lay his head against my pocket—he and his mother afterwards went away, and when they had been gone half-an-hour I missed my purse—I went to the prisoner's house, and asked if he had seen my purse and money—he said he had not—his father made him get out of bed and bring his clothes down, and they were searched—he declared he had never seen the purse—my son, who was with me, heard some money rattle as the prisoner was getting out of bed, his father then desired that the policeman might be sent for, and he found the purse and money between the mattress and the bed, on which the prisoner had lain—this is my purse—(*examining it.*)

WILLIAM THOMPSON. I am a policeman. I went to the prisoner's father's house—I searched the prisoner and his clothes—I found this purse between the bed and the mattress—it contained the money stated in the indictment—here is twenty-six shillings and one penny—the prisoner denied knowing any thing of it till I found it, and then he said he picked it up.

Prisoner. I was coming out of the door and kicked against the purse.

GUILTY. Aged 10.—Transported for Ten Years.—Isle of Wight.

Sixth Jury, before Mr. Sergeant Arabin.

850. PETER THORPE was indicted for stealing, on the 21st of

February, 1 decanter, value 2*s.*; 2 drinking glasses, value 1*s.*, and 4 sheets, value 2*l.*; the goods of William Guiver; to which he pleaded

GUILTY. Aged 40.—Confined Six Months.

851. HENRY HART was indicted for stealing, on the 11th of February, 4oz. weight of tobacco, value 1*s.*; and 1 jar, value 2*s.* 6*d.*; the goods of Edward Coleman; to which he pleaded

GUILTY. Aged 19.—Confined Six Months.

852. HENRY GRIGGS was indicted for stealing, on the 14th of February, 2lbs. 3oz. weight of brass, value 7*s.*, the goods of Thomas Hemsley, his master; to which he pleaded

GUILTY. Aged 17.—Confined Six Months.

853. MARY MARTIN was indicted for stealing, on the 11th of February, 4 sheets, value 2*l.*; 1 table-cloth, value 7*s.*; 1 waistcoat, value 2*s.*; 3 handkerchiefs, value 6*s.*; 4 curtains, value 1*l.*; 6 napkins, value 3*s.*; and 3 silver spoons, value 7*s.*; the goods of William Lancelot Loat, her master.

WILLIAM LANCELOT LOAT. I am a builder and decorator, and live in Little Ormond-street, Queen-square. The prisoner was a servant of mine, and would have been twelve months with me if she had remained till this month—she left without my paying her, and when she had been gone half-an-hour I missed the spoon—I then went to my wardrobe, and missed the rest of the articles stated—I found them all at last—these are mine—(*examining the articles.*)

JAMES GODDARD (*police-constable G* 191.) I was told of this, and found the prisoner at Greenwich—I found on her nineteen duplicates—she told me they were of her master's property—that led me to find the property, and part of it is here.

DAVID KING. I am a pawnbroker. I produce two sheets, a shirt, and some napkins, which were pawned by the prisoner.

THOMAS ALDRIDGE. I am a pawnbroker. I have three handkerchiefs, three tea-spoons, two curtains, and some other things, pawned by the prisoner.

WILLIAM NEWBY. I am a pawnbroker. I have two shirts, a sheet, and a table-cloth, pawned by the prisoner—I took in two of them.

(The prisoner received a good character.)

GUILTY. Aged 23.—*Recommended to mercy by the Jury.*—Confined Six Months.

854. WILLIAM BLAKE and WILLIAM HERRING were indicted for stealing, on the 15th of February, 6 pairs of stockings, value 9*s.*, the goods of John Wills and another.

WILLIAM ATWOOD (*police-constable E* 88.) On the 15th of February I was on duty, and saw the two prisoners coming down George-street, St. Giles's, in company—Blake had this bundle under his arm—it was about ten o'clock in the morning—I went over and asked Blake what he had got—he made no answer—I took it, and found in it these stockings—I took the prisoners to the station-house, and asked where they had got them—Blake said he picked them up—I asked where they had slept the night before—they said, at the straw-yard, in Whitecross-street—I said, "I suppose you came down Long-lane and up Holborn"—"No," said Blake, "we came down Cheapside"—I said, "I suppose you picked them up there"—Blake said, "Yes, nearly opposite the Old Jewry"—I went and

made inquiry, and found Mr. Wills in the Poultry had lost them—these are the stockings—the shop mark is on them—(*producing them.*)

JOSEPH CARPENTER. I am assistant to Mr. John Wills and another—I know these stockings to be their property—they were inside the door of the shop—they have the mark on them now—we do not sell them with the mark on them—we missed them when our attention was drawn to it.

Blake's Defence. I met this prisoner coming down Holborn.

BLAKE*—GUILTY. Aged 18.—Transported for Seven Years.

HERRING—GUILTY. Aged 22.—Confined Three Months.

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855. WILLIAM MINALL was indicted for stealing, on the 22nd of February, 1 saw, value 5*s.*; and 1 rule, value 6*d.*; the goods of Henry Freeman; and 2 saws, value 9*s.*, the goods of Charles Brown.

HENRY FREEMAN. I am a carpenter, and was at work on the 22nd of February in some new buildings, in Warwick-square, Kensington. I left the whole of my tools there on the 22nd, at twelve o'clock, when I went to dinner—they were in the first floor—the front-door was fastened in the usual way—we were absent about an hour—when I returned I missed a saw and a rule—they were afterwards found at the pawnbroker's—these are them—(*looking at them.*)

JOSEPH HENRY SYMES. I am assistant to Mr. Wells, a pawnbroker. This saw was pawned by the prisoner.

CHARLES BROWN. I was at work at the same place as Freeman was—I lost two saws—one of them is that produced by Symes.

GEORGE HAWKINS. I am a pawnbroker. I have produced a saw pawned by the prisoner.

(Elizabeth Seager, a mangler, in Wood-street, Westminster, gave the prisoner a good character.)

GUILTY.* Aged 37.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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856. STEPHEN POWELL was indicted for stealing, on the 28th of February, 1 bridle, value 15*s.*; the goods of Edward West; and that he had been before convicted of felony.

THOMAS BRUNT. I am a policeman. About eight o'clock on the 28th of February, I and another officer were at Leighton, in Essex—I saw the prisoner pass me with something bulky in his pocket—I asked what he had got—he said, what was that to me—I desired the other officer to search him, and he found this bridle in his pocket—(*producing it*)—he said he bought it of a man for 3*s.*—I found the owner, Mr. West, of Church-street, Hackney.

EDWARD WEST. I live in Church-street, Hackney. This bridle is mine—it was taken from my stable at the back of my house.

JAMES LAVER. I know this bridle belongs to my master—it was in the stable—I had locked it in—the stable was broken open about five o'clock that evening, and the bridle taken.

Prisoner. I was going home, and a man by Hackney gate offered the bridle for sale for 3*s.*—I gave him that for it—he said he was a harness-maker, and lived at Hackney—I was going through Leighton, and called at a public-house—I had half-a-pint of beer, and then the policeman stopped me.

THOMAS POCOCK (*police-sergeant F* 13.) I produce a certificate of the

prisoner's former conviction, from Mr. Clark's office—(*read*)—the prisoner is the person who was tried.

GUILTY. Aged 40.—Transported for Fourteen Years.

857. MARY WELCH was indicted for stealing, on the 27th of February, 1 bag, value 1*d.*; 7 sovereigns, and 4 half-sovereigns; the property of Thomas Whinfield, from his person.

THOMAS WHINFIELD. I am a boatman, and live in Derbyshire. On the 27th of February I came to town on business, by the boat—I was in Edgware-road, about ten o'clock at night, with Smith, one of my boatmen—the prisoner came up to us as we were standing—she asked me where I was going—I said, where my mate was, as I was a stranger—she wanted us to go home with her and sit down by the fire, and be comfortable—I went—I spent sixpence, and had some beer, and then came out—I went to a beer-shop and had a pot of beer—Smith was with me, and a woman—we then went to another shop, and had two quarterns of rum—we then came out—the prisoner still kept pulling me, and persuading me to go home with her, and at last I went with her to an up-stairs room—I did not give her any money—I laid on the bed with her for a few minutes—I had at that time a canvas purse with seven sovereigns and four half-sovereigns in it, in my right-hand trowsers'-pocket—I felt the prisoner draw the purse out while I was on the bed-side—she had just got off the bed—I accused her of it, and tried to get it from her—there was no light in the room then—she had put out the candle—she had the purse in her hand, and she put it out of one hand into the other—I did not see it in her hand, as it was dark, but I felt it in her hand—I made a noise, and Smith and the other woman came up—the woman brought a light with her—the prisoner was then standing by the fire, and my purse was at her feet—the woman picked up one sovereign and one half-sovereign—I picked up one sovereign—my purse was not tied, it was only twisted—I lost three sovereigns and two half-sovereigns—I was quite sober.

Cross-examined by MR. THOMPSON. *Q.* You were walking in the road when you met the prisoner? *A.* I was standing—I had left my boat perhaps an hour—I had not been in any public-house—I went to the prisoner's to warm myself by her fire—Smith was not with me then—I and the prisoner were alone—I then sent for some beer, after that I went out to a *Jerry*-shop to look for Smith, and there we had a quart of ale—I was not willing to go back with the prisoner after that, but I was overcome by her persuasion—I did not make any bargain with her—I concluded I was to pay her something—I was not on the bed many minutes—I did not hear the purse fall from the prisoner's hand on the floor—I was on the bed, and she was gone to the fire-place—I called Smith and the woman up, to bring a light—they came and found the purse and some of the money on the floor—after the purse and money was found, I went down stairs—I gave the prisoner a shilling, though I believed she had robbed me of four sovereigns—she said if it was on the floor, she would get it against I came up again—I said I should be up again on the Saturday, and I should call and see if she had got it, and if not, I should see further into it—I gave her the shilling, thinking perhaps she might let me have it then—I did not drink with her—there was some drink got, but I did not drink any—we then parted—I went back to her on the Saturday, and

took a policeman with me—she had not found the money, and I gave her in charge—no one persuaded me to give her in charge—I do not know that the policeman asked me to give her in charge—he asked me three or four times if I would give her in charge.

COURT. *Q.* You are certain that when you went on the bed you had your purse with seven sovereigns and four half-sovereigns in it? *A.* Yes, I had it on the bed—I felt her hand in my pocket, and taking the purse—I tried to get it, and she shifted it from one hand to the other—in the scuffle some of the money fell on the floor.

SAMUEL SMITH. I am a boatman. I came up with Captain Whinfield—I fell in with another woman—she and I were in a room under the room the captain was in—I heard the money drop on the floor—I did not know what the captain had got—I went up, and saw some money picked up.

MARY SMITH. I have known Samuel Smith for some years, but he is from Derby, and I am from Cheshire—I was going out that evening, and met Smith—he asked me to have something to drink—we went and had a pot of beer, and the prisoner and the prosecutor came in—we went to have some rum, and the prisoner then persuaded the captain to go home with her, and he did—Smith said, "I won't leave my mate"—I went with Smith, and we sat down in a chair by the fire in the lower room—I heard the money fall, and ran up stairs with a light—the purse laid by the prisoner's feet, and there were two sovereigns in it—I picked up a sovereign and a half from under the bed.

CAROLINE BAKER. About half-past twelve o'clock that night I called at the prisoner's to ask for a young man—she said he was drinking at a public-house—she sent for some gin—she offered some to Whinfield—he would not drink it—I was going out, when the prisoner called me back, and said, "Don't go, I will treat you to a glass of the best that any house can afford," and she showed me three sovereigns in her hand—Whinfield then said to her, "Be as good as your word, I shall call on Saturday, and if you don't I will put you somewhere else"—I then went away.

Cross-examined. *Q.* You were a lodger of hers? *A.* Yes, till I would not pawn my shawl to pay her rent; but we parted good friends.

JAMES BENNETT (*police-constable D* 59.) The prosecutor came to me and said he had been robbed by Welch—I went with him to her house, and knocked—the prisoner came and said, "What do you want?"—I said, "I believe it is you I want about the four sovereigns your robbed the boatman of"—she said, "I know nothing about them"—I called in the prosecutor, and he said, "Now about these four sovereigns, do you intend to give them up?"—she said she knew nothing about them, and he gave her in charge.

GUILTY.* Aged 25.—Transported for Ten Years.

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858. TIMOTHY BRYANT was indicted for stealing, on the 21st of February, 1 coat, value 10*s.*, the goods of George Baldwin.

GEORGE BALDWIN. I work for my father, who is a green-grocer. We have a horse and cart—on the 21st of February I was driving down Lisle-street, Soho—I had a coat in the cart—I was walking by the side of the horses—I did not see who took the coat—I saw the prisoner at the station-

house soon after—which is about half a mile from where I lost my coat this is it—(*looking at it.*)

HENRY CALEY. I am a labouring man. I saw the prisoner take the coat from the cart, as it was going on—I was close behind him—the prosecutor was walking by the side of the horses—when the prisoner had got the coat, he hung it over his arm, and walked about forty yards—he saw me running after him, and then he threw the coat on the pavement and ran off—I took it up and hallooed, "Stop thief," and the policeman took him—I am sure he is the same man.

WILLIAM KENT (*police-constable.*) About eight o'clock that evening I heard the cry of "Stop thief"—I ran, and got to Castle-street, and saw the prisoner surrounded by a number of people, who said he had stolen a coat—he said he had no intention of stealing it, but pulled it down by accident—I took him.

Prisoner's Defence. The cart was coming along, and I jumped to get on the copse, and the coat came down—I was going to *chuck* it up, but had not time to do it—I had no intention of stealing it.

(The prisoner received a good character.)

GUILTY. Aged 17.—Confined Three Months.

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859. HENRY HOWE and JEREMIAH DACEY were indicted for stealing, on the 1st of February, 1 handkerchief, the goods of a man unknown, from his person.

JOSEPH DAVIES LEATHART. I am a house-decorator. On the 1st of February, about four o'clock in the afternoon, I saw the two prisoners together between Crown-street and Charles-street—I thought all was not right—I watched, and saw an old gentleman walking along—he stopped at one or two shops—the two prisoners passed on behind him—he stopped and they stopped—he went on, and they followed—the gentleman stopped at a tailor's shop, then went on again, and Dacey took the bottom of his coat pocket with his left hand, and put his other hand in, he pulled the handkerchief nearly out—Howe then went up and pulled it out, and passed it to Dacey, who put it into his pocket—Howe passed ahead of the gentleman, and Dacey kept behind—I then crossed, went up to Dacey, and caught him, and Howe crossed the road then—I said to Dacey, "What have you got?"—he said, "Nothing"—I said, "Yes, you have"—he then pulled out an old handkerchief—I said, "Not that; what have you else?"—he would not take his other hand out of his pocket—I took it out, and this handkerchief was in it—he said, "Don't, don't, you may have it"—I took him across the road, and missed the gentleman; and as I got near Meux's brewhouse I saw Howe coming, running very fast, to run to the *rookery*—I called out, "Stop him"—I gave Dacey to an officer, and pursued Howe to Bedford-square, and on through Percy-street, where he was stopped—I said, "You have given me a pretty good run"—he looked up and said, "Should you have known me if I had not come after you?"—I said, "Yes"—I then went to see for the gentleman, but could not find him—I do not know his name.

Cross-examined by MR. THOMPSON. *Q.* Have you tried to get into the police? *A.* I could have done it long ago—I could not get to the gentleman, because Dacey would not go very quietly, when I was first going towards the gentleman, but when I came the other way he came more quietly—when I saw Howe at the end of Tottenham-court-road I turned round, and he ca'

off, and I ran after him—I hallooed, "Stop thief," and there was a man very near him then—I had seen Howe before.

Dacey. I did not say, "You may have it." *Witness.* You did, and then said the handkerchief was yours.

GEORGE JOHN RESTIEAUX. I am a policeman. I heard the cry of "Stop thief," and took Dacey from Mr. Leathart—while taking him to the station-house he said he did not take it out of the gentleman's pocket, it was down by his feet, and, pointing to Leathart, he said, "He took it out of my pocket"—I found 3*s.* 4*d.* on him.

JAMES PORTER (*police-sergeant E* 1.) About four o'clock in the afternoon I took Howe from Leathart—he asked me what punishment he was liable to—I said, "From ten to fifteen years' transportation"—he said if he got over this he would be careful of himself, and had he known that Leathart had not been one of us he would have given him something for himself.

(John Wright, of Fetter-lane, gave Howe a good character. Edward Miers, King's Arms-court; Mary Johnson, New Inn-yard; Ellen Brady, Crown-street; and Mary King, Tottenham Court-road; gave Dacey a good character.)

HOWE*—GUILTY. Aged 18.
DACEY*—GUILTY. Aged 16. } Transported for Ten Years.

OLD COURT.—*Thursday, March 5th*, 1840.

Second Jury, before Mr. Sergeant Arabin.

860. JAMES CREADY was indicted for feloniously being at large within her Majesty's dominions before the expiration of the term for which he had been ordered to be transported; to which he pleaded

GUILTY. Aged 31.—Transported for Life.

(The prisoner had been previously convicted of a like offence.)

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861. JOHN RILEY was indicted for feloniously breaking and entering the dwelling-house of Joseph Lassie, on the 11th of February, at St. Pancras, and stealing therein, 1 copper, value 20*s.*, his goods, then being fixed in the said dwelling-house; against the Statute, &c.; and that he had been before convicted of felony; to which he pleaded

GUILTY. Aged 20.—Transported for Fifteen Years.

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862. GEORGE LEWIS was indicted for feloniously uttering, on the 11th of February, a certain forged order for the payment of 1*l.* 5*s.*, knowing it to be forged, with intent to defraud George Henry; also, for feloniously uttering, on the 14th of February, a forged order for the payment of 2*l.* 10*s.*, knowing it to be forged, with intent to defraud Henry Adams Newman; to both of which he pleaded

GUILTY. Aged 52.—Transported for Seven Years.

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863. JONATHAN HARRIS and CHARLES TURNBULL were indicted for feloniously breaking and entering the dwelling-house of Robert Jennings, at St. James's, Clerkenwell, on the 11th of February, and stealing therein, 12 cakes, value 3*d.*, his goods; to which

TURNBULL pleaded GUILTY. Aged 14.

ROBERT JENNINGS. I am a milkman, and live in Bowling Green-lane, in the parish of St. James, Clerkenwell. On the 11th of February, about half-past six o'clock in the evening, I was at home, and heard the window

crack, which was quite safe five minutes before, and these cakes were there —I got up, went into the shop, and saw the two prisoners standing at the window outside—I opened the door, went out, and took them both—Harris drew his hand from the window as I took them—the cakes were found on the ground—I had seen one of their hands in the window with a cake in it.

JOHN VOLLER. I am a policeman. I heard "Police" called—I went up and took them in charge.

HARRIS—GUILTY. Aged 14.—Both Confined Three Months; One Week Solitary.

Before Mr. Baron Parke.

864. THOMAS MORRIS was indicted for feloniously receiving, on the 11th of December, of a certain evil-disposed person, 9 pieces of paper, value 2*s*., the goods of John Bentley and others.—2nd COUNT, stating them to be the goods of Richard Johnson.

MESSRS. PHILLIPS, CLARKSON, *and* BODKIN, *conducted the Prosecution.*

RICHARD JOHNSON. I am one the coal-meters appointed by the Committee of Coal Factors and Merchants. On the 19th of November I was in the discharge of my duty on board the *Union*, of Whitby, lying at Stone-stairs tier, in the river—it is usual for me to have a certificate-book—(*looking at a book*)—this is the book I had on that occasion—it is a certificate-book, which we receive out of the coal-meter's office when we go on board ships—they are certificates which we give to different merchants—they are not signed as they are in the book—there are blanks left for the name of the ship from which the coals are delivered, the quantity, the barge, the number of it, the lighterman, and to whose account they are delivered, and the date of the delivery—it is signed by the meter—I should think there were upwards of from thirty to forty certificates in the book that morning—I went into the captain's cabin several times that morning—my book was down in the cabin on the locker—I left it there the first thing in the morning when I went on board, till I left the ship in the afternoon —a man named Venables came on board between ten and eleven o'clock in the morning—I did not know Mr. Morris, the defendant—I believe Venables was in his service—I remained on board the brig from a quarter past seven o'clock till half-past four o'clock in the afternoon—Venables was on board about ten minutes or a quarter of an hour—he came down into the cabin while I was sitting there along with the captain —I left the cabin while Venables was there—the captain was there at that time—there were several barges there, and the *Lark* among them, coming towards the brig—Venables had the management of three or four of them —Mr. Stewart, the mate, was on board—Venables drank with him down in the cabin—I did not notice that any thing had happened to my meter's book while I was on board the brig—when I got home in the evening I found there were several sheets torn out—I can undertake to say that it was perfectly sound that morning—there appears to be nine certificates torn out—there is a margin to the certificates, to enable me to keep a check of the contents of the body of the certificate—the margins were torn away as well as the bodies—the book was lying on the locker when Venables was in the cabin.

JURY. *Q*. Was the book out of your possession between the time of your leaving the vessel and getting home? *A*. Never—no other person could have access to it, except down in the cabin.

COURT. *Q.* Did you examine the book the moment you got home? *A.* Yes, and found the loss directly—I did not part with the possession of it till I found the loss.

MR. CLARKSON. *Q.* Had you any papers at the end of it, which you were in the habit of referring to in the evening? *A.* Yes, orders—it is my practice to refer to them almost every evening—when I got home that evening I referred to the end of the book, and then missed the certificates—(*looking at a certificate produced by Ledley*)—this is one of the nine certificates—all the written part of it is forged—it is not my hand-writing, any part of it—it does not bear my name, but the name of *Robert* Johnson—there is no official coal-meter named Robert Johnson—there is one named John Johnson—this certificate bears my printed stamp on the back of it—it is, "R. Johnson, 5—1839"—the 5 at the back means the number of the book, which is the number of the one I have in my hand.

Cross-examined by MR. ADOLPHUS. *Q.* Why do you call yourself an official coal-meter? *A.* I am sure I do not know why the committee should call us official meters—we are weighers, or meters—I consider meter implies both weigher and measurer—we weigh the coals now—we are not appointed by the Lord Mayor, but by a committee of nine merchants and nine factors—we give these certificates gratuitously to the lightermen—we do not receive any thing for them—every paper in this book would be stamped, "No. 5"—the "1839" denotes the year—I am sure this is one of the nine certificates I lost, because I have lost no others but the nine—I have issued more, but I can account for every one—those I have given away I have filled up—the margins of these nine have been taken away.

COURT. *Q.* Do you fill up all you give away with your hand-writing? *A.* Certainly—the particulars of all the others are in the margins—I have not compared the particulars of this certificate with the margins, to see if it agrees with any of them.

MR. ADOLPHUS. *Q.* Who was on board the vessel besides Venables? *A.* There was no lighterman on board—the captain, Mr. Stewart, and I, were down in the cabin, having some ale at the table, which is not more than a yard from the locker—I left the cabin for about ten minutes, while Venables was there—I will swear that—he was on board ten minutes or a quarter of an hour altogether—I drank one glass of ale—there was a bottle drunk—I left the Captain with Venables in the cabin—I met them on the deck coming out of the cabin, I think, about ten minutes after I had been on deck—I cannot say exactly—I will swear I was more than five minutes out of the cabin before Venables came up—you go up a few stairs from the cabin to the deck—Mr. Stewart followed me out of the cabin—he left Venables in the cabin, perhaps a few minutes—I will not swear it was one minute—I did not meet them coming out of the cabin together—they followed one another.

COURT. *Q.* Are you sure that Stewart ever left him in the cabin alone? *A.* He must have done, because he followed me out—I went on deck first—Mr. Stewart followed me afterwards, and must have left Venables there.

MR. ADOLPHUS. *Q.* How soon afterwards? *A.* Perhaps five minutes—I do not swear he left Venables below five minutes—he came up about five minutes after me, alone—it was about five minutes after I had left the cabin that I saw Mr. Stewart and Venables, one following the other—Mr. Stewart came up alone, and Venables followed him in a very little time—he

might be about two or three yards behind him—they were never apart, except the time it would take Stewart to get on the deck before Venables.

Q. Was there any means or opportunity for Venables to take the papers without Mr. Stewart seeing him? *A.* I cannot tell that—I only know that Venables was Mr. Morris's servant from his bringing barges from Mr. Morris's wharf, I considered him Mr. Morris's lighterman—I never saw him and Mr. Morris together—I had never seen Mr. Morris but once—I knew he was a coal-merchant and in a very large way of business—he has not got his name on the barges—Capel's and Slaughter's name is on them—the prisoner kept a wharf called Sun wharf—I never saw his name on a barge—Venables might be Capel and Slaughter's servant, but I considered him Mr. Morris's—I was subpœnaed as a witness here to-day—I have seen no one as the prosecutor, but the solicitor and his clerk—I believe Mr. Bentley is a factor—I do not know him—he has given me no orders to come here—no one has spoken to me upon it except the solicitor—I know Mr Gammon, a merchant—he has not given me any instructions about this prosecution, or about my appearance at the policecoffice—I was examined several times at the police-office on a charge against Mr. Morris of having forged this certificate, or uttering it knowing it to be forged.

Q. Not having stolen it, or received it, knowing it to be stolen? *A.* I do not know what the charge was—I told captain Stewart the next morning, about a quarter-past seven o'clock, that I had the certificates—I did not see Venables that day—I cannot say whether he was working on board the brig that day and the following day—he might be—he came there every day and brought barges to the ship—he brought barges while I was delivering the ship—I never charged Venables nor any body with having taken these papers—I merely mentioned to Mr. Stewart that I had lost them, and to two of my brother meters, Yates and Rix—I mentioned it to them next morning—Yates is one—I forget the others name—(*looking in a book*)—I was going to see if I could recollect the meters name—I thought I might have a list of the meters in my pocket—it appears by this book, which is in my writing, that Venables was on board working on the 21st of November—I never mentioned to him about the loss of my certificates—I did not make it public—I only told two meters, Yates, and I think Rix is the name of the other—it begins with Ri—I take the certificate book on shore when I go at night—I went home on the night of the 19th of November—I am almost sure I did not go to any ale-house, or any place before I went home—I am quite sure I did not—I went home—it was quite dark—I have never, on any occasion, gone to any ale-house or other place and lost my book—I never lost it and had it returned by any body—I have not seen Mr. Gammon this morning.

MR. CLARKSON. *Q.* You have been asked whether you ever charged Venables with having stolen the certificates; were you aware on the 19th, 20th, or 21st who had taken the certificates? *A.* No; I was not—I had no suspicion that Mr. Morris had any of them in his possession—all the certficates in the book No. 5 are accounted for by the margins, except the nine which were torn out—I can account for every one, numbers and everything.

JURY. *Q.* When you supposed Venables to be Mr. Morris's agent, had you any order from Mr. Morris to deliver coals to him on Mr. Morris's account? *A.* No—not on board the *Union.*

COURT. *Q.* But at any former time have you had orders from Mr.

Morris to deliver coals to Venables? *A.* No—Mr. Morris is in the habit of drawing his coals by means of Capel and Slaughter, from the wharf—I have seen the wagons loaded with coals from Capel and Slaughter's barges, which have gone to Morris's wharf—I saw Venables at the police-office—the mate was on deck while Venables was in the cabin—when I first went on board, for two or three days I considered Stewart to be the mate, but afterwards he was appointed captain—the mate I speak of is another person—there was a mate on board besides Stewart, and another man and two boys.

JAMES M'CREA. I am a weaver, and live in Manchester-street, Bethnal-green. I was secretary to a club held at the Greyhound public-house, for the purpose of purchasing coals—it is an association of working people to purchase large quantities of coals, and by that means getting them cheaper—on the 25th of November I received, as secretary to the club, a tender from Mr. Morris, to supply coals—this is it—(*The tender was here read, signed "Thomas Morris," proposing to supply the members of the coal-club with sundry coals, and amongst others with Belmont, at 26s. per ton*)—the club agreed with Mr. Morris to supply some Belmont coals—this is the memorandum of the contract—("*This being read, was an agreement to deliver to the members of the Greyhound coal-club, 45 to 60 tons of Belmont coals, and for the merchant to produce the ship's certificate.*") On the 11th of December I attended at the defendant's wharf to see the coals worked—my attention was directed to two barges, one, the *Mouse*, laid by the shore, and another laid off the shore—that was the *Edward*, as Mr. Morris represented—I saw him there—he said those barges contained the coals we were to have—three rooms of the *Mouse* had coals in them—Mr. Chapman was with me—he was appointed by the club to go down with me to witness the delivery—Mr. Morris said, "They are ready now for you to go to work"—I asked him for the ship's certificate—he said, "Come along with me"—I walked with him up the wharf to his counting-house, and went in with him—he handed a file to me, which I supposed to be certificates—I said, "This is it at the top"—I said so because he handed me the file—I did not know whether it might be the one at the top—I said, "This is it at the top," and Mr. Morris said, "Yes"—I saw the word "*Mouse*" on it—he was standing alongside of me when he said yes—I do not know that he looked at it—after I looked at it, I took it off the file myself in his presence—this is the certificate—(*looking at it*)—my name is written on the back of it—it is in the same state now as when I received it, except having my name on the back—(*This was the certificate identified by Johnson as having been taken from his book; it was headed, "Ship-meter's Certificate from the Coal-meter's Office," "I Robert Johnson certify that I have delivered from the* Mary Anne, *Robert Jones, master, from the port of Sunderland, with Belmont coals,* 21 *tons, delivered into the* Mouse, *No.* 1055, *on account of Capel and Slaughter, for Mr. Morris.* ROBERT JOHNSON, *official meter.*" 10*th December*, 1839.)—the inspection of that, satisfied me of the quality of the coals—the vendors' tickets were prepared—these are three of them—the coals were to be delivered at the residence of each of the members of the club—(*One of these being here read, described the coals as half a ton, in five sacks of Belmont*)—the carman then proceeded—I left the wharf a little after two o'clock in the afternoon—next day I was at the wharf of Mr. Gammon, a coal-merchant at Wapping, about half or three quarters of a mile from Morris—I went to Gammon's to superintend the delivery for another club,

of 61½ tons—while there, a person came in and asked for Belmont coals—in consequence of what Mr. Gammon said to him, he took another quality—in consequence of that, and the observation made by Mr. Gammon, I produced this certificate to him which I had received from the prisoner the day before—Mr. Gammon made some observations on my producing it, in consequence of which, I thought it my duty to go to the coal-meter's office—Chapman called on me the same evening—on Saturday morning the 14th of December, I went with the certificate to the coal-meter's office in Thames-street, and showed it to the parties in attendance—I was not well on that Saturday—James Macey, a member of the club, came to me in the evening, and I communicated to him what had transpired about the certificate, and on the Monday I gave him directions to go to Mr. Morris—I am not secretary to the club now—Mr. Chapman is—I believe he is a friend of Mr. Morris—the Articles of the club say that a fresh secretary shall be appointed at the commencement of every club—while I was at the wharf on the 11th I saw a man, who I have since ascertained to be Venables—he was in the counting-house two or three times while I was there.

Cross-examined by MR. ADOLPHUS. *Q.* What is meant by the commencement of a club? *A.* It was at the expiration of a club, which is about four times a year, that I ceased to be secretary—I am not aware that I was turned out for misconduct—I did not receive notice that I was not to be secretary any more—I knew another was appointed in my place—this was the first club that was ever held at that house—at the first meeting of the second club I ceased to be secretary—I am a silk-weaver—I have no other occupation—I am secretary to another club.

Q. You have mentioned Mr. Gammon—how came you to communicate with him on the subject? *A.* I was ill, and I sent 101 directions to Mr. Gammon, as I could not attend to the delivery myself—he could not find them out, and had to call on me in the evening to put them to rights—Mr. Gammon is a coal-merchant, and one of those who proposed for the contract when Mr. Morris got it—he had nothing to do with Mr. Morris's coals—he had the contract for another club—I was three times at the Thames police-office about this business—I attended there by desire of Mr. Ballard, one of Mr. Harmer's clerks, and a police-officer—I do not know who set the inquiry on foot—I do not know whether it was Mr. Gammon—some hand-bills and placards were published—one was sent to my house from the public-house directly opposite—I cannot call to mind who brought it—I do not know that Mr. Gammon caused them to be published, stating something to the prejudice of the prisoner—I never distributed any of them—I have not spoken to Mr. Gammon since the second time I was at the police-office—I have spoken to him—I dare say I may have spoken to him about this in the course of business—nobody paid me for attending at the police-office—I received 2*s.* from Mr. Gammon to pay for a *cab*—(*looking at a file*) I cannot say whether it was such a file as this that the prisoner took the paper off of—it was taken off a file—I cannot swear whether it was round or straight at the top—I think it was straight—it was a wire like this—I cannot say whether it was thick or thin—the papers were stuck through—there was a gentleman on the other side Mr. Morris when it was produced—I do not know who he is—Mr. Morris handed me down the file—I took the top paper off, took it in my hand, and read it to Mr. Chapman—that I swear—there was nobody but Chapman present, that I am aware of—the prisoner was not present—I read it to Chapman as

we walked down the wharf—I did not hear Chapman ask Venables whether there were any Belmonts at the wharf that morning—the bargeman did not tell me there were no Belmonts—that I swear positively—I did not give this certificate to the club—I was too ill to attend—I was at the wharf that day, but I left about two o'clock, because I was ill—I was very ill—I never attended the club again—I did not go out of doors for three weeks—I was never spoken to by any of the club to commence proceedings against Mr. Morris—I am not aware that I made a charge against Mr. Morris, further than going to the Coal-exchange and discovering that there was no such ship as the *Mary Anne*, laden with Belmont coals, during 1839—I do not know what the charge was at the police-office—Mr. Gammon came to my house on the 12th of December—that was the day I had been to the wharf—he came to me before I made the discovery about the paper—I made the discovery on the 14th—I saw him that day about twelve o'clock at noon—I saw him again that evening—being ill, he presented me with a ticket for the dispensary—I saw him once at my house after that—I went out with him on the 14th, when I went to the Coal-exchange, never after—I cannot say who filled up the vendor's tickets—I was in the counting-house, and saw Mr Morris's clerk fill them up—they said his name was Baldwin, but I never saw ~~him before~~—I cannot swear to his writing—the word "Belmont" was not put in by my direction, that I know of—I expected to receive Belmont coals.

Q. Did not the clerk ask you what name he was to fill up in the certificate, and you say, "Belmont?" *A.* I do not know—I cannot say that I said, "Belmont"—we contracted for Belmont—I have no knowledge of saying any thing to the clerk about it—I will not swear I did not—I have no knowledge of saying anything to him about the coals—I directed him where they were to go to—I cannot say whether I told him Belmont or no.

Mr. Bodkin. *Q.* If you did direct Belmont to be put in the vendor's ticket, did you do so before or after you examined the ship's certificate? *A.* If I did, it must have been after—Mr. Gammon came to my house on the 12th, after I had heard the conversation between him and the stranger about Belmont coals at his wharf—Chapman was examined as a witness before the Magistrate—I do not recollect by whom he was called.

James Macey. I am a silk-weaver. M'Crea made a communication to me on the subject of Mr. Morris's Belmont coals—I am a member of the Greyhound Club—I was there on Monday night when Mr. Morris came about the coals—he came in when it was announced for him to be paid—he was paid, and gave a receipt—a reduction of 3*d.* per ton was made in his bill, at his own desire—before I went to the club that night I had got possession of some documents on the subject of these coals, and after he had been paid I told him I had a charge to make against him for not supplying us with the coals which he had agreed, and that I had documents to prove he had not supplied us with the coals—I then produced the documents, one of which I had received from Mr. Pearsall's office—this is it—(*looking at it*)—I also produced these two in support of the charge—they were read to him in presence of several members.—(*These documents being read, one was a certificate signed by J. Pearsall, clerk and registrar of the coal-market, that no ship named* Mary Anne, *Robert Jones, master, laden with Belmont coals, had been entered in the office during the whole of the year* 1839. *Another, signed W. Vale, shipping clerk, stated that the barge* Mouse *was laden on the* 10*th of December, from on board the* Witham, *with twenty-one tons of Evenwood, Wallsend. And another from the meter's*

office, Coal-exchange, stating that the ship's certificate in question was forged.)

Q. After these documents were read in the presence of Mr. Morris, did you ask him any question? *A.* I merely made the charge against him, as I before stated, that he had not supplied us with Belmont coals, but had given us some others instead—after the documents were read, he said he must admit that he had practised a little deception, but he had supplied them with a coal which he believed was as good, and at a little cheaper rate, and he had made the reduction accordingly—I believe that was all that passed—on the part of the club itself there was no charge made against him—I had not seen him after I made the discovery, before I went to the club—I went to his wharf before I made the discovery, to make inquiry about half a ton of coal, about which there had been some mistake.

Cross-examined by MR. PRENDERGAST. *Q.* Did you hear Mr. Morris's bill read at the club that night? *A.* I did, and heard the word "Evenwood" read in it—that was before these documents were read—I read all these documents there aloud—there were eighteen or twenty persons there—Mr. Banks was in the chair—I delivered the documents to him, but he could not read them, and handed them to me to read myself—all the members that were present said they were perfectly satisfied, at least no person dissented—I heard no person say they were satisfied—I did not hear them say any thing—I did not hear the chairman express any particular opinion—nothing was done, that I am aware of, after I made the charge—the chairman put the question, and it went by show of hands, but no question was asked.

Q. Those who were in favour of Mr. Morris held up their hands, and those who were against him? *A.* Something of that sort—a great number held up their hands in his favour—no hands were held up on the other side, that I saw—I did not hear the question put to me whether I was satisfied—I did not hear Mr. Banks ask me if I was satisfied—there was a noise in the room—I did not express any dissatisfaction—I did not put up my hand against the resolution—the show of hands was before the documents were read—the question was put by the chairman, whether they were satisfied with the coals they had received from Mr. Morris, before the documents were read—it was before the bill was read—I believe the question was not put again after the bill was read—none of the members expressed any dissatisfaction after the bill was read—the question was not put by the chairman after I read the documents—there was a little talking, but I did not attend to every word that was said—I did not hear the members say they were satisfied—I did not hear the chairman put any question after the charge—I did not hear any body express dissatisfaction—his bill was ordered to be paid that night, after it was read—the chairman put the question about the payment of the bill—he said, "Those who are in favour of the bill being paid, hold up their hands"—it was carried—no hands were held up against it—there was no show of hands taken more than once.

COURT. *Q.* Was it before or after the bill was read? *A.* Before.

MR. PRENDERGAST. *Q.* Have you not sworn just now, the show was taken after the bill was read, whether it should be paid? *A.* I told you the show of hands was taken whether it should be paid or not, after it was read—it was certainly after it was read—there was no show of hands taken before the bill was read—the show of hands was before the documents were read—there are two members here besides myself as witnesses for the prosecution, Benton and Gross—I apprehend they have subpœnas on the part

of the prosecution—I know Mr. Gammon—I have never seen him except at the Thames police.

Mr. Bodkin. *Q.* Was the bill for the coals brought there that evening by Mr. Morris? *A.* I do not know who brought it—it was produced that evening—I do not know when it was delivered—I saw nothing of it before that night—the bill was read and paid before Mr. Morris said he had practised some little deception—I made my charge, and he gave that explanation.

James Torrington. I am in the employ of Capel and Slaughter, coal-merchants, London—they lighter coals for Mr. Morris. On the 10th of December I superintended the lightering of some coals into the *Mouse* barge—this is the book in which I make a memorandum of my daily transactions—(*producing it*)—the entry on the 10th of December is, "*Mouse*, 21 tons, Evenwood, Sun-wharf, from the Witham"—the number of the barge is not put—the meaning of that entry is, that the coals went to Sun-wharf that day by the *Mouse*—there was, no doubt, a certificate given for them in the course of business—that certificate would be sent to Mr. Morris—I did not see the ship's certificate—I did not see any Belmont coals in the river on the 10th.

Cross-examined by Mr. Adolphus. *Q.* You do not know whether there were any or not? *A.* No—I have known Mr. Morris about three years, or three years and a half—he has been doing business in a respectable way as a merchant, as far as I know—I never heard any thing against him—I have known him transact a great deal of business—I believe he always bore the character of an honest, respectable man—Mr. Capel has been employed by him a good deal—I have not had any promise made me with respect to my evidence—this book is my own private memorandum—Mr. Morris knew nothing about it.

Alfred Hancock. I am one of the meters appointed by the Coal Committee. On the 10th of December last the *Mouse* and *Edward* barges were laden with Evenwood Wallsend coals out of the Witham—I gave certificates to that effect to the lighterman, on being applied to—I gave one certificate with each barge—these are them—(*looking at them*)—I gave them to the lighterman who took the craft.

William Vale. I am a clerk in the Coal-meter's office, Coal Exchange—a committee of coal-factors and merchants have the management of the office—Mr. John Bentley is one of the committee—there are seventeen others—they provide books, with engraved forms of certificates, to be given to the meters whom they appoint.

Cross-examined by Mr. Adolphus. *Q.* Has Mr. Bentley been one of the committee long? *A.* Ever since the committee was established—he has not given any directions about this prosecution that I am aware of—I understand the prosecution is conducted by our office, but who gave the instructions I do not know—there have been meetings of the committee, but I have not been present, and do not know what they did—I am not aware that these certificates are given by other sellers—each book containing ninety-three of these certificates costs 3*s.* 4*d.*

George Lockett. I am clerk to Edward Wood, a coal-merchant at Kentish-town-wharf. On the 9th of December Evenwood coals were 21*s.* 3*d.* in the market—that is the price I bought them at—I tried to get them as cheap as I could—Belmont coals were not in the market that day—Evenwood are about 2*s.* 6*d.* a ton inferior to Belmont.

Cross-examined by MR. ADOLPHUS. *Q.* Do you know whether there is not a sort of union or combination of coal-factors and merchants, by which certain coals are preferred in the market? *A.* I never heard of coal-factors and merchants conspiring together—I have heard of such things as owners and factors agreeing together, but have not known of it—I do not know that Evenwood coals are not in the pits they control—I know nothing of it—(*looking at a book*)—this is not a book made out by the authority of the trade in general, it is made by George Biggs—it does not denote the price of coals day by day—I look at the list, and when I see coals are sold at that price I believe it, but never without—I do not know that Evenwood are sold at a lower rate than Belmont, in consequence of not going through the committee of factors—we never imported any Evenwood coals—we buy coals without going through the market, and have bought Evenwood—Belmonts go through the market.

GEORGE BENTON. I live in North-place, Globe-fields, Bethnal-green-road. I was a member of the Greyhound club—I was present on a Monday when Macey called Mr. Morris to account on the subject of the coals—I heard Mr. Morris say he admitted having used a little deception with regard to the name of the article—I had half a ton of the coals delivered to me—I had a vendor's ticket with it—this is it—(*looking at it*)—I gave it to Macey.

Cross-examined by MR. PRENDERGAST. *Q.* Did you hear Mr. Morris's bill read at the club? *A.* I cannot positively say—I heard the chairman ask if any one had any reason to say why Mr. Morris should not be paid, and there was no opposition to it—it was put to a show of hands—those who were in favour of his being paid held up their hands—none were held up to the contrary, and he was paid—Macey produced some documents, and said he had a charge against Mr. Morris for not supplying the coals contracted for; that he had supplied an inferior coal, which he understood was 2*s.* a ton lower than those contracted for—Mr. Morris in his defence said, that he had supplied them with a coal equal to the coal he had contracted for, and he had deducted 3*d.* a ton, which was the difference in the market price—I heard the chairman read some documents, I heard no one else read any—the chairman would not allow any body else to read the documents—after he had them in his hand, he said he could not read one of them, and returned it to Macey, and requested him to read it as he could not understand it, and Macey read that—that is the only one he read to my recollection—he read one, I am not positive that he read more—I do not remember Mr. Morris's bill being read—the question was put whether any one had any thing to say why Mr. Morris should not be paid—Macey then introduced the documents, but it was decided from the chair that he could not do so after it was decided that Mr. Morris was to be paid—I do not recollect that any question was put by the chairman after Macey read the document—there was some discussion entered into on the subject, and Mr. Morris made his defence—some of the members said they were satisfied, and some were silent—I cannot positively say how many were silent—I do not think they all said they were satisfied—it was decided, I consider, by a show of hands—some were silent—the show of hands was not taken after the documents were read—several persons said they were quite satisfied after the documents were read, and that the name of the article was a matter of indifference—I do not recollect that any body said no to that—I did not fall in with that, but I did not make any opposition—I was at the club when the contract was made—I was not there on the

20th of January—I left the club at the conclusion, when Morris was paid —I am not a member of it now—I was subpœnaed to come here—M'Crea did not ask me to come, nor apply to me to be a witness—he is no acquaintance of mine—I did not know him till I entered the club—I left the club because I was dissatisfied—I believe it still exists—I cannot say whether it consists of the same persons, with the exception of myself and one or two others.

Mr. Clarkson. *Q.* Were you satisfied with the quality of your coals? *A.* Yes, but they were not so good as I expected to receive from what was said of the Belmont coals on the night the contract was entered into.

Charles Green. I am a coal-merchant, and am one of the committee of management of the coal-meters. Johnson is a meter employed by the committee—this prosecution is conducted by direction of the committee.

Cross-examined by Mr. Adolphus. *Q.* Upon whose application? *A.* We did it on public grounds—we set the inquiry on foot when the certificate was produced to me by Mr. Gammon and M'Crea—that was on a Saturday—I forget the date—I have been in Court during the trial, but I had no idea of being called as a witness—Mr. Bentley is one of the committee—he assented to the prosecution—he was present when it was determined on—that was before the examination at the police-office—immediately on the discovery I attended at the police-office.

Q. The charge was uttering the certificate knowing it to be forged, was it not? *A.* There were a variety of charges—it was put into the hands of a solicitor, and he conducted the matter—I was there when Mr. Ballantine ordered the prisoner to enter into recognizance.

Q. Did he not enter into recognizance to appear on the charge of misdemeanor? *A.* I know nothing about it, because I left before it was over —(*looking at a book*)—I know this book published by Mr. Biggs—it is from that a person gets the price of coals in a general way—it is relied on by those in the trade who know no better—those who buy coals know of course what price they give for them—the trade do not subscribe to the making of this book—it is published by Mr. Biggs—I believe it is taken in by the principal part of the trade, to guide their judgment in the price, in a general way.

Q. Do you know why Belmont coals are a higher price than other coals? *A.* As far as I know, from the quality of them—I am not aware it is from the mode of conducting the trade by the factors—I have no recollection of the price of Belmont coals between the 19th of November and the 11th of December—I never buy Belmont coals, nor Evenwood either—I beg to state with respect to the prosecution being carried on by the committee, that property nearly to the amount of two millions per annum changes hands upon these certificates, and the committee seeing a case which they thought so clear, did not think it right it should pass unnoticed.

Ebenezer Gross. I live in Charlotte-street, Bethnal-green. I was a member of the club—I was present the evening Mr. Morris's bill was paid —after the payment I heard Macey find fault with regard to the coals being the wrong name, and he produced some documents, which were read —after that I heard Mr. Morris say he admitted he had practised a deception as regarded the name of the coal, and he had taken off something per ton tantamount to make that level—I was taking his part, thinking at the time he had taken off sufficient, but afterwards I found he had not—he

had taken off 3*d.* a ton—I thought at that time that was the actual difference in value.

Cross-examined by MR. PRENDERGAST. *Q.* You were one of those that were satisfied? *A.* So far as I thought the money was taken off, and that was all that could be done—Macey made his complaint after the bill was agreed to be paid—we were waiting for a stamp—I think the bill was read previous to my going there—it is usual to read a bill before it is ordered to be paid—Mr. Morris admitted that he had sent the wrong name in, but he had taken off something per ton—I heard some documents read—the chairman read part, and Macey read part—after that it was put to a show of hands.

Q. After Macey had brought his charge, and the documents were read, it was put to a show of hands whether the people were satisfied or not? *A.* It was put previous to that, not afterwards—it was agreed he should be paid before the documents were read—it was not put to a show of hands after they were read—the greatest part of the meeting were favourable to Mr. Morris—my reason was because he had taken off 3*d.* per ton—I had half a ton.

GEORGE LEDLEY. I am second clerk at the Thames police-court. I received charge of the different documents produced, by direction of the Magistrate—there were three examinations, I think—Mr. Bodkin attended at the second examination—I remember the examination being referred to to see whether any statement alleged to be made by the defendant was taken down—Mr. Bodkin applied to the Magistrate to take down a statement made by Mr. Morris at the first examination, which was omitted in the deposition—the counsel on the other side objected to that—on the minutes of the first examination being read, Mr. Bodkin said there was an omission on the face of them—I was desired to read them, and I made this minute of what afterwards transpired—it was not taken down by the Magistrate—(*reads*)—"Mr. Bodkin states an expression uttered by the defendant—the Magistrate said he does not recollect the expression—the defendant said, 'I have said it, and I will say it again'"—when Mr. Morris was under examination as to the identity of the certificate, it was said Mr. Morris said he never saw that certificate before—it was that which Mr. Morris said he had said, and would say it again—the charge of forging and uttering the certificate, and receiving it, knowing it to be forged, were both mentioned.

Cross-examined by MR. ADOLPHUS. *Q.* And I believe the Magistrate said there was not the least pretence for receiving, and he should require bail for uttering? *A.* The Magistrate said he should enter into his own recognizance for uttering the certificate—no notice was taken of the other charge—I have the receipt for the coals, the bill of them, and the auditor's account—(*producing them*)—I have the minutes of examination—Mr. Stewart, the mate of the vessel, was examined on the part of the prosecution, and Mr. Chapman was called by the Court, and examined.

HENRY BAINES. I am a stationer and printer. I supply these books of blank certificates to the coal-committee—there are ninety-six in each book—I charge 3*s.* 4*d.* for the ninety-six—that is rather more than a farthing and a quarter a-piece, including the cover—I should take off about a farthing for the cover.

Cross-examined by MR. ADOLPHUS. *Q.* That is what you charge for them printed and made as they are? *A.* Yes, they are printed from litho-

graphy—there are four leaves to a sheet—one certificate is a quarter of a sheet—the paper is 28*s.* a ream—a ream is 480 sheets.

Witnesses for the Defence.

ROBERT STEWART. I was mate, and am now captain of the brig *Union*—I recollect Venables and Johnson being on board, but I cannot tell the day—it was on a Tuesday, some time in November, I believe—the ship was delivering coals—Johnson attended in his capacity of coal-weigher—he, and I, and Venables were below in the cabin—Johnson did not go away at any time, and leave me and Venables in the cabin—I never was alone, nor were Venables and I together in the cabin, and Johnson away.

Q. Do you remember how you came up? *A.* Yes, there was a lighterman at the ship—I went up to see what it was, and left them both in the cabin, and as I came aft, I met Johnson, and Venables behind him, coming in a direction from the cabin, as if they had just come up—I am quite sure I left Johnson and Venables together—I was at the Thames Police-office once—I do not know on which side I was examined—you (Mr. Prendergast) examined me—nobody spoke to me but you—I do not recollect any other gentleman speaking to me first.

Cross-examined by MR. CLARKSON. *Q.* I believe between the second and third examinations, you ran away, vessel and all? *A.* The second time I was sent for, the ship was hove out of the tier, under weigh, and the sails set, and I could not stop—I had been three weeks in the river—I arrived at Gravesend from my last voyage, on Monday—the ship is there yet—I came to London last Tuesday, went down again, and came up last night again—I was not in London long on Tuesday—I knew Venables before this time—he was a lighterman under Mr. Dyer, when I was in one of Mr. Dyer's ships, and he used to be frequently on board—I have seen him here to-day—I have not been with him further than just at the door here—I did not come with him—I frequently saw the meter's book on the table while I was in the cabin—I cannot speak of this day, but I think every day of the delivery of the ship it was there—Venables, I, and Johnson drank together that day—we were all there drinking, when some one hailed the ship, and Venables said it was his lighterman going inside with a barge—I knew Venables was servant to Mr. Morris—I went out of the cabin first on the vessel being hailed—she was twice hailed—Johnson and I remained the first time in the cabin, and Venables went on deck—he came down, and said it was his man, and asked if I could let him have a couple of hands—Johnson followed me up when I went up.

Q. Now recollect what you have said before—on your oath, did not Johnson follow you up, leaving Venables in the cabin? *A.* I do not know, for they both followed me up when I went—I know I met them both, but which was first I cannot say—they were both on deck when I came aft—I could not say that Johnson followed me up, leaving Venables in the cabin, because I do not know which of them was left—I have never said that to my recollection—I cannot swear it—I might have said something about it—I do not know that I ever said so to Ballard, the officer—I cannot swear I did not—I did not tell him that I was followed by Johnson up the companion, leaving Venables in the cabin alone for about four minutes—he asked me how long it might be that I was out of the cabin before I met Venables—and I said, "It might be four minutes"—he was on board, and I showed him where I met Venables on the deck—I cannot swear I did not tell him that I left Venables in the cabin about four minutes.

MR. PRENDERGAST. *Q.* You say you left Venables and Johnson in the cabin, how long might it be before you saw them again? *A.* About four minutes—I walked the length of the ship, and as I returned, I met them—they must have followed me up—it was four minutes between my walking to the end of the ship and coming back and meeting them—my acquaintance with Venables has been no further than speaking as I pass—I was brought to the police-office by a policeman, who came down to Gravesend with a summons for me.

BENJAMIN VENABLES. I am lighterman to Mr. Morris, and was so in November last. On the 19th of November I was on board the *Union* for the delivery of the coals, and for four days afterwards—I went down into the cabin with Johnson and Stewart to drink—I was never left alone in the cabin the whole of that day, not for one single moment—I did not see any thing of the certificate-book to my knowledge—there were plenty of books about, but I did not know one from the other—we drank two bottles of ale among three—to the best of my recollection, Stewart went out of the cabin first, and Johnson and I were left together—I recollect Stewart saying somebody hailed the ship—I said, "I dare say it is my apprentice"—Stewart went on deck to see what it was, and Johnson and I followed directly, one after the other, and met Stewart coming aft—I went on board next day, about seven or eight o'clock—I saw Johnson there that day—he did not say a word to me about the certificates being lost—he gave me a certificate for the barge called the *Wood*—I brought the coals to the wharf on the night of the 11th of December—next morning I saw two secretaries belonging to the club—I believe one was M'Crea and the other Chapman—Chapman asked me what coals we had—I said, "We have several sorts"—he said, "Have you any Belmont?"—I said, "We have got loads of coals of all sorts except Belmont, and of them we have none"—M'Crea heard that—he was alongside of him—this certificate was not shown to me at that time—I never saw it before—I saw it at the Thames police-office—I went to the Thames police-office voluntarily—I do not recollect who called me as a witness, but I was examined by Mr. Phillips, and I stated then the same as I have now—I was only examined once at the office—I was not called the second time.

Cross-examined by MR. PHILLIPS. *Q.* Were you in the employment of Mr. Morris when you went to the Thames police-office? *A.* Yes, I was his servant—I was not called on behalf of my master, to my knowledge—Mr. Morris did not call me—I did not know his attorney from any body else—I know I was called and examined by you, and I was asked questions by a gentleman on this side—a gentleman on the bench spoke, but nobody examined me, to my recollection, but you—I swear that that gentleman (Mr. Prendergast) examined me first, and you finished it—I was only asked a question or two by him—I do not call it being examined—it was only three or four words—I do not know the use of this certificate-book—I know every lighterman has a ticket—I did not see that book in the cabin that day to my knowledge—I will swear that I did not see it that day—if I had, I should not have touched it—as an honest man, I do not think I ought to have touched it.

Q. Were you ever accused of stealing any thing before this? *A.* Yes—twenty years ago, come next August—I was accused of highway robbery—I was tried at Kingston Assizes, and was imprisoned in Guildford gaol twelve months—I have never had a blemish in my character since—I always

rorked for my living—I think Johnson and I were in the cabin two ninutes after Stewart—we drank our glasses up and followed—I think ohnson went first, but I was on his heels—we were both up together—I ever said to any body after my examination at the Thames Police Office, 'What a d——d *row* your people make about this b—— certificate"—or any thing to that effect.

Q. Did you say, "Why, you fools, not ten minutes ago I gave Mr. Morris a whole handful of the blank certificates, as he came out of court; o help me G—d, I did?" *A.* Yes, I did—I did give him the certificates, but did not say "So help me G—d I did," to my recollection -I swear I never said so to a man named Upton—I did not say, "So elp me G—d"—it is true that I did give him a handful of blank certificates before he went into the Court—I got them from Mr. Capel's ervant—they were Mr. Dyer's blank certificates—Mr. Morris draws for apel and Slaughter—he draws his coals from Sun wharf—Mr. Dyer is gentleman coal-merchant, and ship owner—I believe a man named Ferington gave me the blank certificates—Mr. Dyer gave them to Torrington o give to me to produce at the Thames Police Office, to show there were ore certificates than one—(*looking at one*)—this is the same sort of certificate which I gave Mr. Morris—I do not know how many I got—they ere wrapped in paper—I was told they were certificates—I did not know ey were tickets when they were given to me—Torrington told me they ere blank tickets from Mr. Dyer—I did not tell the solicitor and Mr. lorris that I had them—I delivered them to Mr. Morris—I did not see ny produced before the Magistrate—there was a counsel attending for Mr. lorris—I am the man that lightered the *Mouse* from the *Witham*—I got a eter's certificate—I put it on Mr. Morris's desk—this is it—(*looking at it*) -I put it on the desk about seven o'clock in the morning, on the 11th—Ir. Morris is sometimes there earlier than that—sometimes at six, seven, ight, or nine o'clock—generally before nine o'clock—he has clerks—it is ny plan to put the certificates on his desk or the clerk's—Mr. Morris lives t the wharf—I think I saw him about one or two o'clock that day—I had o conversation with him about the *Mouse* to my recollection—I did not ell him about the certificate—I did not know he was going to supply the lub—I do not know whether he knew I was coming with the *Mouse*—I o away with one barge, and bring another at times—he never inquires till ight what business I have been doing—I tell him at night—I go in and ook my work in a small book, with my name on it—I keep the book—it as delivered here—I did not see Mr. Morris that night—I put the certificate on the desk for him to examine, but I do not recollect speaking to im—I spoke to him in the middle of the day, about one o'clock—he asked ne what I had been doing—I told him I had got a load of craft loaded and coming down—I did not tell him any thing about putting the ertificate on his desk, because it was not in his business—I did not tell him I had lightered the *Mouse* from the *Witham*, and left the certificate on his desk—I do not recollect seeing him that night.

Mr. Adolphus. Q. Is it your practice to tell him at night of every thing you have done, such as putting the certificate on the desk? *A.* I put it in the book, and he examines it—I went to the police-office voluntarily —I have got my living by hard labour for the last eighteen years—I worked for Mr. Green five or six years—I left him through getting tipsy, and neglecting my duty, and was ashamed to go back again—that is the truth—since that I have worked for Mr. Kelly—I was never discharged for

dishonesty—I have worked for Mr. Morris three years—I was told Ferrington that the papers I gave him were blank certificates—they n have said "What have you there?"—I said blank certificates—Upton one of the coal weighers.

JOHN BOREHAM. I am a member of the Greyhound coal club. the evening of the 10th of December I was there—it was the eveni before the delivery took place—the prisoner called there to make acquainted that he could not serve the coals—I was there by myself I take an active part in the club—I have filled the station of chairm occasionally—the defendant came and told me he could not deliver t coals he had contracted for, as there was no Belmont in the market- told him if he could not supply the club with Belmont he must wo some other coal as near the quality as he could, as the members wou be all disappointed unless he supplied them the next day as it was appoint —I was in the house before Mr. Morris came.

MR. CLARKSON. *Q.* What were you doing there that night, as it w not club night? *A.* I was frequently at the house.

MR. PRENDERGAST. *Q.* Were you at the club meeting on Monday t 16th? *A.* Yes—I heard the defendant's bill read—the bill was deliver on the Monday evening—it was in the club-room on Monday evening- that was the first meeting of the club after the delivery of the coals- heard the bill read—I heard Evenwood coals read, and saw it on the bill- I do not think there was any thing particular said about it that evening- Macey got up, and said he did not make any objection to the coal, only h had a charge to bring against Mr. Morris—he made his charge, and pro duced papers—I do not recollect the question put to the club about Mr Morris's conduct—I do not recollect any thing of the sort—we were a satisfied about the quality of the coals—I never wish to burn better—th bill was ordered to be paid—I have known Mr. Morris eight or nine year —I always understood him to bear the character of an honest man.

COURT. *Q.* You have heard what his character is, have you? *A.* have heard of his general character, not only as a coal-merchant, but i parochial affairs.

MR. PRENDERGAST. *Q.* Have you known a great many people wh know him? *A.* Yes—that is the character he bore among them all—thi is the bill and receipt—(*read*)—"*Members of the Greyhound club*—50½ *of Evenwood Wallsend coals, 65l. 0s. 4d.*" *Receipt for the same.*"

MR. CLARKSON. *Q.* Pray what day was it you saw Mr. Morris at the Greyhound? *A.* On the evening previous to the delivery taking place— the delivery commenced on the 11th—nobody was present but Mr. Morris and myself—Mr. Morris asked me first when the delivery took place—I told him the secretary and his attendant would be down there to work the coals to-morrow morning—he said it was a very unfortunate thing for him he had not got those coals, as he had no such in the market, the Belmont —he said he had another club to serve, and he must work the two clubs that day—he did not say he could not deliver the Belmont because he had another club to serve—he said it was an unfortunate thing he could not supply us with Belmont coals, and he had another club to supply at the same time—he said there was no Belmont in the market—I told him he must not disappoint us, if he had no Belmont to send some of as good quality—he said, "If so, I must go and arrange it as well as I can"—I went to M'Crea on the Monday evening before I went to the club—I did not say any thing to him about Mr. Morris having told me he could not get Belmont coals.

Q. Did not M'Crea on that occasion produce to you the false certificate, nd tell you there was something wrong in it? *A.* He showed me two or hree papers—I rather think he did say there was something wrong in it—never gave it a thought to say any thing to him about my conversation ith Mr. Morris, I thought it of much more importance with regard to the oals—Mr. Morris might have said at the meeting that he had practised a ttle deception—I do not know that I heard him say so—I might not unerstand what he said exactly—I will not swear he did not say so, because might not recollect it—I heard somebody say that Mr. Morris did say so—never thought of telling M'Crea of what passed between Mr. Morris and e—it must have slipped my memory.

Q. Then it was not because you did not think it of any importance, but ecause it slipped your memory? *A.* I thought, in the first instance, hen Mr. Morris spoke to me about changing the coals, that it was of ry little importance, if the members had good coals—I did not think of lling M'Crea about it—I never gave it a thought.

Mr. Prendergast. Q. When you went to M'Crea's house, was he ill not? *A.* Ill in bed—he sent for me, hearing I was over at the other ub-house — we had a very short conversation — M'Crea was secreary to the club at that time—he was discharged the next Monday ght.

William Chapman. I am a plumber and glazier. I am secretary to e Greyhound coal-club—I went with M'Crea, on the 11th of September, Sun Wharf, Ratcliff, to see the coals supplied—I asked the lighterman hether he had got Belmont coals on board, and he said no, he thought ere was everything else but Belmont—I cannot say that M'Crea heard —he was standing close by, near enough to hear it, I should suppose—I rned round to him and said, "I think we have done for to-day," meaning e supply would not take place that morning—he made no remark—I nnot say that there was any further conversation either from Venables, 'Crea, or myself—we waited, expecting that the coals—at least, that we ould commence operations.

Court. Q. If there were no coals to be delivered, how came you to ait after you said your business was over? *A.* Really, if I was to say ything more about anything, I should be committing myself—I cannot y who gave the order for the coals to be worked, or any thing of the rt; it was not my business—I went to see the coals weighed, to see stice done between the merchant and the members—we were deputed by e club to be there in attendance—if we had had direct orders from the ouse that we should have no coals worked that day, I certainly should ave left the wharf, but we were waiting of course expecting that Mr. lorris would commence supplying the members with coals.

Mr. Adolphus. Q. Did M'Crea, at any time in the course of that orning, show you any certificate whatever? *A.* He showed me a rtificate certainly, which of course I have said on my former examiation.

Court. Q. Did you go into the counting-house and see the certificate ken from the file? *A.* Decidedly not—I did not go into the countinguse at all—I cannot say whether M'Crea did—he advanced towards e from that direction, but I did not see him come out of the countinguse, or go in.

Mr. Adolphus. Q. When he showed you the certificate, did you

read it and see what it was? *A.* No; I cannot say that I could tell one single word of it, if it was put into my hands—I looked at it, and returned it to him, as that was his particular duty—I do not think he read any part of it to me—I cannot say whether he did or not—I have no recollection that he did—all the certificates I ever saw were in one form—I saw Mr. Morris on the following morning, and I think I asked him for a certificate—he said he would bring the certificate to the society when he came to receive the money on the following night, and, I believe, he did produce two certificates on the following night—the chairman, Mr. Banks, had them—(*looking at two*)—I suspect these are the same—I presided as secretary to the club that night—all the members were satisfied with the article they had received from Mr. Morris—Mr. Morris gave some explanation why he had deviated from the terms of the contract, but what he said I cannot say—the thing has gone by so long I have pretty well lost all recollection on the subject—Mr. M'Crea was never a member of the club—I cannot say why he has ceased to be secretary—I believe one of the articles of the club is, that the secretary shall be chosen at the commencement of every club—that is the only reason that I know of—any member can be appointed secretary, and I was elected—Mr. M'Crea's name was not put up.

MR. BODKIN. *Q.* Is it one of the rules of the society that the secretary should keep himself sober? *A.* I should expect that would be becoming to every man.

BENJAMIN BANKS. I was chairman of the Greyhound coal club on the night of the 16th of December—Mr. Morris's bill was delivered in and read, and these two certificates were given in—they are for Evenwood coals—I cannot charge my memory whether the bill said "Evenwood coals"—this is the bill and receipt—(*looking at them*)—I do not remember anything being said about Evenwood coals being delivered, and Belmont being contracted for—it was moved and seconded that the merchant should be paid—I then addressed the company, and said, "Gentlemen, it is usual in these cases to know whether there is any objection to the payment; does anybody object to the merchant being paid?"—there was not a dissenting voice except Macey's, who said he had a complaint to make—I said, "You must wait a while"—I said, "There is one individual in the company, which is you, Mr. Macey; I wish most particularly to ask you whether you are satisfied with the coals?"—he said, "Yes, quite with the coals, but I have a complaint to make"—he was then about producing some documents—I said, "Anything you have to say must emanate through the chair"—he made his complaint, and Mr. Morris was beginning to say something, but left off—he said something, but I did not notice it particularly—I was out of the room once or twice—I did not hear him say any thing about Evenwood coals being used instead of Belmont—I do not recollect his precise words—he said he had not been able to supply us with the coal contracted for, but he had sent as good a coal, and no doubt the club would be perfectly satisfied, and he had charged the difference in the price, he had not charged for Belmont—I will not be positive whether he said that before or after Macey made his charge—I have only been chairman of this club twice—M'Crea has ceased to be secretary, I should say, in consequence of what we considered his misconduct, in not attending as he ought to have done at the time appointed—he said he was extremely ill, and sent Mr. Macey down to say so, and if there was any difficulty in the accounts, or anything of that sort, he would explain it—it was considered,

I believe, generally, that he did not act well, and I consider that was the reason of his not being re-elected.

Mr. Phillips. *Q.* Do not you know there is an article in the club that a secretary shall be elected every club? *A.* Yes—I do not recollect Mr. Morris saying at the club, "I admit having practised a little deception"—he may have said so, I did not pay particular attention—it is possible it might have been said and I not hear it, but I think if it had been said I must have heard it—I will not swear he did not say so—I do not recollect it—he said something previous to Macey making his charge, but I cannot say the precise words—I heard him say previous to going up into the club-room that he had not sent the coals—I produced some documents at the police-office—I was not compelled to produce them—I did not refuse to produce them—I held them till I was told I must produce them—I was only asked once to give them up—Mr. Ballantine said, "Produce the documents," and I did so—I said, "Am I to give them up?" and looked at Mr. Horry, to ask if I was to give them up, and he said, "Yes"—I have not the least recollection of refusing to produce them—the Magistrate desired me to give them up, and I left them there.

Mr. Prendergast. *Q.* Are these the certificates and the bill? *A.* There were several documents—I cannot say whether these are them—they were put in with some copies of certificates—they were written documents—I received them at the meeting of the club, after it was moved and seconded that the bill should be paid—I merely passed them through my hands to the secretary—I did not keep them myself—I have known Mr. Morris three or four years, and I consider he possesses that upright, honest, manly principle, that he is incapable of a dishonourable act, even to take the least advantage of an enemy.

George Biggs. I am the publisher of the prices of coals—(*producing a book*)—this book contains from day to day the price of coals in the market—on the 1st of November, 1839, Belmont coals were 23*s.* 6*d.* a ton, and Evenwood 23*s.* 3*d.*—on the 9th of December there were Evenwood in the market, but no Belmont that day.

Court. *Q.* What is the usual difference between Evenwood and Belmont? *A.* That is a question it is scarcely possible to answer, because the relative prices of coals depends so much upon circumstances; one day a demand may arise for one particular sort, and another day for another sort—Evenwood is a coal that has never been up—there were only two ships of Evenwood the whole of the year 1839—on the 9th of December Evenwood sold for 22*s.* a ton, and on the 11th Belmont was 24*s.* a ton—there were no Evenwood on the 11th.

Mr. Adolphus. *Q.* When these Belmont coals came in, could they have been got at, to deliver that very day? *A.* That is a question I cannot answer—it is not in my department—Evenwood is a new coal—I believe there have been only three ships of it altogether.

Q. Is there any combination of brokers, and factors, and so on, in the river, to make one coal dearer than another? *A.* I apprehend not—my book is what people generally go by in their dealings in coals—it regulates the difference.

Mr. Bodkin. *Q.* How do you get the prices in the book? *A.* The factors give me the prices—I believe the first cargo of Evenwood was on the 1st of November—the price of a new coal soon finds its level—Evenwood has fallen a good deal since—not so much as 5*s.* or 6*s.* a ton—it has

been discovered that it is not of that quality which it was first supposed to possess.

MR. ADOLPHUS. *Q.* Were you brought here as a witness for the prosecution? *A.* I had a subpœna for the prosecution—the price of coals is marked on the day on which it is sold—it could not have been known that Evenwood coal would fall unless it was proved, and its value ascertained.

——— BALDWIN. I am clerk to Mr. Morris. I remember M'Crea coming to our wharf—I filled up the vendor's tickets—these are them—(*looking at them*)—the coals are described as Belmont coals—I filled them up from M'Crea's instructions—he came to the wharf after the first wagon was loaded—I began to fill up the tickets, and did not know what the coals were, nor what quantity was to be delivered—I said, "I don't know what these coals are, I must see Mr. Morris, and hear what he says," and M'Crea said, "They are Belmont coals"—I said, "Oh, are they?"—I did not know even the barge they were in, or the quality—it was between six and seven o'clock in the morning, or from six to eight o'clock, about seven o'clock, I suppose—I generally fill up the tickets from the instructions I receive from the lighterman—(*looking at a file of papers*)—this is the file we use in Mr. Morris's office—there is no other file for certificates but this—all that are filed are put on this file—there are sometimes a few lying about—I never saw the certificate in question till I saw it at the Thames Police Office—I have access to all the files and papers in Mr. Morris's office, and have an opportunity of seeing every thing there.

MR. CLARKSON. *Q.* That is the file on which it is usual to put certificates? *A.* Yes—I should say a certificate would, in the ordinary course of business, be put on that file—I went to the office before seven o'clock on the morning in question—I saw Venables there on the barge—he did not hand me the certificate—I did not see the certificate on the desk—I did not look for it.

Q. Why not look for it before you prepared the vendor's ticket? *A.* Because I had no doubt of the coals—I did not give the certificate a thought—the certificate is a proof of the quality and description of the coals—it is for the purpose of protecting the consumer against fraud—I did not refer to it at all for the purpose of ascertaining what to put in the vendor's ticket—I filled it up in my master's office.

Q. On your oath, was not that certificate of Evenwood coals lying on the office desk? *A.* It might have been—I did not see it—I was in the office when M'Crea called—I was there, I think, before him—there was another gentleman with him who I believe was Chapman—I did not see M'Crea go into the office with my master—I think M'Crea came into the office first by himself—I was there—I do not know where my master was—I do not think he was on the wharf at the time—I had not seen him—I do not know that M'Crea saw my master—I went out before M'Crea left—I went about the wharf—it was about seven o'clock that M'Crea came—I do not know where Mr. Morris was when I left the counting-house—he was not in the office—I swear that—he may have been in the house—the office is underneath the house—it is the custom for the file to hang up by the desk in the counting-house—we have two counting-houses—we have only one file—it is sometimes in one office and sometimes in the other—it was in the other counting-house that morning—I do not think I went into

that counting-house before breakfast—I do not know whether Mr. Morris was there or not.

Mr. Prendergast. *Q.* In which counting-house was the file? *A.* In the other, not in mine—it was kept in mine some few months back, but lately it has been put into the other—it was in Mr. Morris's office that morning—one counting-house is on one side of the wharf, and the other on the other side—Mr. Morris uses the upper one—that is the place where the file was—my office is by the water-side—if M'Crea had gone into Mr. Morris's office, I should not have seen him—I fill up the tickets in my own office—I had no access to the file at that time—it was in the other office—I frequently fill up tickets from the report of the lighterman—I was aware at the time that M'Crea had come there to see the coals delivered—I had no reason to doubt the information I received from him as to the quality of the coals.

William Bullock. I am landlord of the Greyhound public-house, where this club is held. I remember Mr. Morris coming to present his bill on Monday evening, the 16th of December, about half-past six o'clock—it was club night—he presented two certificates with the bill, which were afterwards given to Mr. Banks, the chairman—Mr. Morris declared they were Evenwood coals—I heard no complaint made about them before that—I had three tons of the coals, and they were very excellent—I made no complaint, nor did I hear any complaint from any member of the club—I was in and out of the room that evening in my usual capacity—the club meet at seven o'clock—I heard something said about the payment of the bill.

Mr. Bodkin. *Q.* You say you had heard no complaint about these coals till Mr. Morris came to you that evening; just recollect whether that is so? *A.* I do positively assert it as a fact, that I never heard a word of complaint about these coals till Mr. Morris's bill was paid.

Q. Then you had not heard that there was any irregularity, or substituting one coal for another? *A.* I heard from Mr. Macey—in fact I have the note in my pocket now—I did not hear it till after Mr. Morris was in the house—I received a note from M'Crea on Monday, after six o'clock, just before Mr. Morris arrived—Mr. Morris was at my house twice that evening—he brought in the bill, and was obliged to go somewhere else afterwards—he came first about half-past six o'clock, and saw me and Mr. Banks—we were then arranging the accounts—we did not talk about the change of coals—I did not know of it then—this is the note I received from M'Crea—I will read it, to convince you that it explains nothing—(*reads*)—'Monday evening, December 16. Mr. Bullock—I shall be very glad to see you if you will call on me in the course of an hour or two at the latest, as I have something of importance to communicate to you. I remain, &c., J. M'Crea."—I showed that note to Mr. Morris when he first came, and when he went away—he was gone about half-an-hour—I saw him when he returned—he did not bring the bill and certificate then—he brought them when he first came—I received them when he first came in—he left them with me, and I delivered them to Mr. Banks—Mr. Banks did not go out of the house after Mr. Morris had been the first time—he remained there—I am sure Mr. Morris did not take the bill away with him, for I was with Mr. Banks arranging the accounts.

Court. *Q.* Did you look at the certificates to see they were for Evenwood coals the first time he came? *A.* The bill and certificate expressed Evenwood coals—I saw it the first time he came.

Mr. Adolphus. *Q.* How long have you known Mr. Morris? *A.*

Very nearly six years—he has borne a remarkably good character, so far as I ever heard from those who know him.

COURT *to* BALDWIN. *Q.* Just look at that paper, (*the certificate*) and see if there is any hand-writing you know on it? *A.* There is not, no part of it whatever—I should say no part of it is Mr. Morris's hand-writing—it is not at all like his—I do not believe any part of it to be his handwriting—it is not the hand-writing of any clerk in his office—there is none of my writing on it.

—— DYER. I am a ship-owner and coal-merchant. I have known Mr. Morris about a dozen years—he has borne a very good character—I gave some certificates to Torrington for the purpose of taking to the police-office, and which he gave to Venables—those certificates were issued by weighers of my own—I am not connected with the association—many merchants have their own weighers—this is one of my certificates—(*producing one*)—it is similar to those I gave Torrington.

(Several other witnesses deposed to the prisoner's good character.)

NOT GUILTY.

NEW COURT.—*Thursday, March 5th,* 1840.

Fifth Jury, before Mr. Common Sergeant.

865. WILLIAM WHITE was indicted for stealing, on the 5th of February, 3 sixpences, the monies of Thomas Hall; to which he pleaded

GUILTY. Aged 13.—Confined Three Months, and Whipped.

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866. GEORGE WARD was indicted for stealing, on the 26th of February, 2 pewter pots, value 1*s.* 6*d.*, the goods of William Sheppard; and 1 pewter pot, value 1*s.* 6*d.*, the goods of Charles Franklin; to which he pleaded

GUILTY. Aged 35.—Confined One Year.

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867. WILLIAM LINKSON was indicted for stealing, on the 27th of February, 1 tart, value 1*d.*, the goods of George Kingsford; to which he pleaded

GUILTY.* Aged 15.—Confined Three Months, and Whipped.

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868. WILLIAM BALDWIN was indicted for stealing, on the 24th of February, 1 printed book, value 6*d.*, the goods of Henry Webb; to which he pleaded

GUILTY.* Aged 11.—Transported for Seven Years.—Isle of Wight.

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869. WILLIAM SKEGGS and WILLIAM HILL were indicted for stealing, on the 11th of February, 7½lbs. weight of ham, value 7*s.*, the goods of Miles Linton; to which Skeggs pleaded

GUILTY.* Aged 22.—Confined Six Months.

EDWARD ELFORD. I am shopman to Miles Linton. He had half a ham safe in the shop about nine o'clock on the evening of the 11th of February, when Skeggs came in alone and took the ham off the basket—he went out, I followed him—he went about sixty yards, and passed it to Hill—I first saw Hill at the Wagon-and-Horses, about one hundred yards from our house—he was in sight of our house—Skeggs ran from him—I pursued and took him—I did not see Hill nearer than sixty yards off—he did not run away.

Cross-examined by MR. HORRY. *Q.* Where were you when this happened? *A.* In the parlour—when Skeggs ran away he ran across the road—I saw the wagon there—Hill was driving—it was an open wagon.

THOMAS HALLINGHAM (*police-constable N* 306.) I took charge of the prisoners.

HILL—NOT GUILTY.

870. ANN KEATON and CHARLES KEATON were indicted for stealing, on the 7th of February, 2½ pounds weight of sugar, value 1*s.* 5*d.*, the goods of Thomas Craddock; and GRACE FITZGERALD, for feloniously receiving the same, well knowing it to have been stolen; against the Statute, &c.

THOMAS CRADDOCK. I am a grocer, at No. 52, Cable-street, St. George's-in-the-East. On the evening of the 7th of February, at half-past four o'clock, the two Keatons, and a younger one who is discharged, came to my shop, and asked for a halfpenny-worth of treacle—I gave the cup to a boy to get it, and give it to them—I had four or five customers in the shop at the time, and when the two Keatons were gone I missed a parcel of sugar, that I had done up on the counter—a witness came and said something, and my boy went and brought them back—I said I would give them in charge—the prisoner Ann cried, and said, if the officer would go with her, she would show him an apple-woman, to whom she gave it—the officer went and got it, and took them all to the station-house—I went and saw it, in the same paper that I had done it up in—this is it—(*examining it.*)

WILLIAM EGLINTON. I live with my father, in Cable-street. I remember these two Keatons going out of the shop—the prisoner Charles was standing on the threshold of the door—the girl was inside—the younger one, who is not in custody, came out, and I saw something in its pinafore, and they went off with it—about ten doors down, Charles Keaton took it out of the child's lap, and went up Church-lane—I went and gave information to the prosecutor.

JAMES GEORGE (*police-sergeant H* 10.) I received information, and took the Keatons in the prosecutor's shop—I went with them up Back-church-lane, and there saw Fitzgerald—I asked her where the sugar was—she asked, "What sugar?"—Charles Keaton said, "Give up the sugar you gave me 6*d.* for"—she stooped down under her stall, took it out of a sack, and said she thought there was no harm in buying it—there was nothing in the sack besides this—there is 2½lbs. weight of sugar, at 7*d.* a pound.

Fitzgerald's Defence. I sell fruit in the street. On Friday evening the boy came, and asked me whether I would buy a pound and a half of sugar. I asked where he got it, he said he picked it up in the street. I asked where he lived, he said, in White Lion-street. He asked me 6*d.* for the sugar, which I gave him; I did not know of its being stolen.

ANN KEATON—GUILTY. Aged 10.—Confined Ten Days.
CHARLES KEATON—GUILTY. Aged 14.—Confined Ten Days, and Whipped.
FITZGERALD—NOT GUILTY.

871. ANN POPE was indicted for stealing, on the 20th of February, 2 pieces of carpet, containing 9 yards, value 3*s.*; the goods of John Warrener.

JOHN WARRENER. I am a carpenter, living in Southwood-lane, Highgate. On the 20th of February I lost two pieces of carpet—they were

under the fence, at the back-door of my premises, in a back yard—(*property produced*)—these are mine, and are worth 3*s.*

Cross-examined by MR. PAYNE. *Q.* What do you know them by? *A.* By their being familiar to me—I have had them seven years—there is no mark on them—I had not seen them put into the back yard myself, and cannot say when I saw them last.

SUSANNAH REED. I am housekeeper to the prosecutor. On the 20th of February I put this carpeting out to be shook or beat, but the yard being full of clothes, that could not be done—I saw them at five o'clock, but not after.

Cross-examined. *Q.* What do you know them by? *A.* I was with the prosecutor when they were bought, and know it from its general appearance and the age of it—there is another yard to pass through before you get to the street—there is no difficulty to get at it—it was rather exposed.

JOHN HANSELL. I am a dealer in marine-stores. The prisoner brought this carpet to my house, and asked me to buy it—she said she had it from a gentleman's house where she had been washing, and asked me if I could afford her 9*d.* for it—I told her the utmost I could get for it would be 1*s.*, as it is threadbare, and has holes in it.

Cross-examined. *Q.* Then you gave 1*d.* a yard for it? *A.* Yes—she asked me if I could allow her 9*d.* for it—my house is next to the Bell-and-Horns public-house at Highgate—I do not know the prosecutor's house—I have been a marine-store dealer eight years—I had never seen the prisoner before—I have only been there two months—I am quite sure she said it was given to her at a gentleman's where she had been washing—she was not there more than two minutes.

NOT GUILTY.

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872. THOMAS DUDLEY was indicted for stealing, on the 14th of January, one bookbinder's tool, called a holing-machine, value 8*s.*, the goods of Eliza Aitkin.

ELIZA AITKIN. My husband died on the 13th of January, he was a bookbinder. I did not see this tool till I saw it at Bow-street—I have taken possession of all my husband's goods—I have taken no administration—I cannot say whether this was on my premises since my husband's death.

Cross-examined by MR. HORRY. *Q.* The prisoner had been a long time in your husband's employ? *A.* Yes, all the tools were in his care.

GEORGE MANVILL. I live at No. 141, Holborn. I worked for Mr. William Aitkin—I have known the prisoner some years—I know this machine by using it—I saw it last on the 13th, the day Mr. Aitkin died.

Cross-examined. *Q.* The prisoner has been a man of good character? *A.* Yes—I had a friend of the name of Baynton, who worked in the business with the prisoner and me—he was discharged, in consequence of not being a man of the trade—I believe the prisoner told Mr. Aitkin that he was not brought up to it—I was very angry at it, when I was out of temper, and said I would not be friendly with the prisoner—I remember pawning two of my master's prayer-books, and the prisoner told my master of it—I only know this machine by using it, and by the string slipping off—there are two or three holes about it—I know it was in the shop—whether it was given to the prisoner by Mr. Aitkin I cannot tell—I will not swear I saw it after the 13th of January.

RALPH PRESTON. I bought this machine of the prisoner—I cannot exactly say when—it was about five weeks ago, while he was working with me—he was at work with me before Mr. Aitkin's death—I gave him 5*s.* —I should have given him 5*l.* if he had wanted to borrow it.

Cross-examined. Q. I believe 5*s.* is the value of it? A. It might be worth more to use—I have known the prisoner many years—he might have gone and got gold out of my box when he pleased.

NOT GUILTY.

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873. ANN DAVIES was indicted for stealing, on the 30th of February, 1 purse, value 1*s.*; 1 sovereign, 1 half-crown, and 1 sixpence; the property of Charles Webb, from his person.

CHARLES WEBB. On the 18th of February I went to the Horse Guards, and went to the Canteen public-house, and had something to drink—some time after, I met the prisoner, who asked me to treat her—I, being tipsy, treated her with some wine—she seemed to know a good many soldiers whom I treated—when I was leaving she asked me to allow her to get into my chaise as far as she was going—I said she might, and we stopped at various public-houses on the way—I had some money, I think about 3*l.* —I had one sovereign, one half-crown, and some shillings—I do not know that I had any other money—it was in a brown purse, which I should know again—this is it—(*examining one*)—I saw it safe at the Horse Guards, where I paid for what I had, and put it into my pocket—I took it out, and paid at several other public-houses, and then we came to an eating-house by the side of Temple-bar—we stopped, but not long—when I got out of the house I found I had lost my purse—I thought the prisoner must have it —I rode just through Temple-bar, saw a policeman, and told him of it, and the prisoner was taken to the station-house—my purse contained one sovereign, one half-crown, and one sixpence.

WILLIAM SYKES (*City police-constable, No.* 122.) I was on duty in Fleet-street, about one o'clock on Saturday morning last, and saw a one-horse chaise come driving down with three people in it, the prisoner, and a man named Clarke, and the prosecutor—as soon as I got opposite the chaise the prosecutor called out to me—I crossed, and he told me to take Clarke and the prisoner into custody, for he had lost his purse containing 15*l.*—I told him to lead his horse down to the station-house—I walked alongside the chaise till we got to the Black Horse public-house—I then told the prisoner and Clarke to get out, and took them to the station-house, and desired the prosecutor to go back to the chaise—we did, and searched and found nothing—we returned to the station-house, and the charge was taken —I searched the prisoner, and found this purse, containing one sovereign, one half-crown, and one sixpence in the stocking of her right leg—previous to her being searched she said she had not a farthing about her—after it was found, she said it was hers, that her mother knew it, and knew it well—after that she said she had it given to her at the Horse Guards by a soldier that night—the inspector went up next day, and made inquiries, and found a soldier who she described was on duty—Clarke was discharged, not having any thing.

CHARLES WEBB *re-examined.* Q. Where did you pick up Clarke? A. When I got to the eating-house he spoke to this woman, and then he got into the chaise, and I thought he might know something about it as well as her—I do not recollect any person putting their hand into my pocket.

NOT GUILTY.

874. THOMAS PEARCE was indicted for stealing, on the 24th of February, 1 handkerchief, value 1*d.*, the goods of George Edward Noone, from his person; and that he had been before convicted of felony.

GEORGE EDWARD NOONE. I am an engineer, living in Silver-street, Bloomsbury. I was in Holborn on the 24th of February—a person called to me—I turned, and found it was a policeman, who showed me this handkerchief, which is mine—(*looking at it*)—I had seen it safe an hour before—I know it is mine, as I had used it with a chemical process, it being of no value.

JOHN LEWIS ASHAM (*police-constable F* 119.) About eight o'clock at night, on the 24th of February, I was on duty, and saw the prisoner, with two others, attempt the prosecutor's pockets twice, then the prisoner took the handkerchief out, looked at it, and then threw it in the crossing of the street—I took it up, followed him, and called to the gentleman.

Prisoner. There were two young men before me, one of them picked the pocket, and the policeman ran after me. *Witness.* I saw you take it, and no one else.

Prisoner's Defence. I was walking down Holborn, when this policeman, dressed as a sailor, laid hold of me and accused me of this—he said I ran after the other two, but they *chucked* it down, and then he said at the office that I took it, but I had not.

JOHN PIPER (*police-constable F* 105.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY.—Aged 20.—Transported for Ten Years.

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875. JOHN PETER was indicted for stealing, on the 12th of January, jacket, value 2*s.*; and 1 handkerchief, value 6*d.*; the goods of Thomas M'Carthy, in a vessel in a port of entry and discharge.

THOMAS M'CARTHY. I am a labourer in the West India Docks. On the 12th of January I was on board the ship *Urgent* in the export-dock—I left my jacket and handkerchief on the deck about the middle of the day—I was leaving work about four o'clock, and missed them—the prisoner was sitting on the deck—from information I received on the 17th, I went with the policeman to search the prisoner's place on board the *London*—I found this handkerchief on board.

Prisoner. You took my drawers and a pair of top boots away. *Witness.* No; your drawers were missing two or three days before.

STEPHEN LAURENCE. I am cabin-boy on board the *Wandsworth*, which belongs to the same owner as the *Urgent*—I gave the prisoner a shirt, and he gave me this jacket on the Friday, before I went to the police-office, I gave it to the officer.

THOMAS HOY. I am an officer. I went on board the *London*, on the 17th, and found this handkerchief in the prisoner's bag of clothes, in the forecastle of the ship—the prisoner was then on board—he had been on board the *Urgent* before, but had gone to the *London*—he told me he gave 8*d.* for the handkerchief.

Prisoner's Defence. I bought the handkerchief for 6*d.*—I took the jacket because I could not find my drawers.

GUILTY. Aged 18.—Confined Two Months.

876. GEORGE WILLIAMS was indicted for stealing, on the 18th of February, 3 printed books, value 8*s*., the goods of Susan Mason.

WILLIAM MASON. I am the brother of Susan Mason, who keeps a book-shop in St. Giles's. I was in the shop on the 18th of February—the prisoner came in and asked for a print—he put down a shilling, and wanted change—I gave him 6*d*., and just stepped to the door to speak to a friend, and missed three books—I charged him with it—he pulled out one, and then another, and then the other—he said it was poverty drove him to do it—these are all my sister's books—(*looking at them.*)

GUILTY.* Aged 23.—Transported for Seven Years.

(There was another indictment against the prisoner.)

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877. ROBERT ROUTLEDGE was indicted for embezzlement.

ELLEN LYNDE. I am wife of James Lynde, and am a milliner in the Lowther Arcade. The prisoner supplied me with goods from his masters, Staggs and Mantle, to the amount of 1*l*. 10*s*. and 1*l*. 0*s*. 6*d*.—I paid him 1*l*. 10*s*. on the 1st of January, 1*l*. 0*s*. 6*d*. on the 4th of January, and 4*l*. in different payments—the last was on the 14th of February—I am sure I paid him all these sums.

Cross-examined by MR. ROWE. *Q*. Had you previously bought any articles of the prisoner? *A*. No—the 1*l*. 10*s*. was the first bill.

JOHN KERSEY. I am cashier to Messrs. George Staggs and his partner. The prisoner was in their employ up to the 14th of February—he has not accounted for either of these sums, which he ought to have done at the t me they were paid him.

Cross-examined. *Q*. Did the prisoner do much in collecting? *A*. Not a great deal—not 50*l*. in a month—they were chiefly small sums—I do not know his salary—I do not know that half his salary was to be laid by on every Saturday night, for him to receive it at the end of six months—I am not aware that he was in any pecuniary difficulties—he never told me he had a writ served on him—he left my master's service in February—it was a week before he was sent for by my master.

(The prisoner received a good character.)

GUILTY. Aged 21.—*Recommended to mercy by the Jury.*

Confined Three Months.

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878. WILLIAM WINTLE was indicted for feloniously receiving, on the 7th of February, of a certain evil-disposed person, 2 frocks, value 1*s*. 6*d*.; 2 petticoats, value 1*s*.; 1 night-gown, value 1*s*.; 1 shift, value 1*s*. 6*d*.; 1 jacket, value 1*s*.; 1 pair of trowsers, value 2*s*.; 4 shirts, value 4*s*.; 2 aprons, value 6*d*.; 1 pair of socks, value 1*s*.; and 4 handkerchiefs, value 1*s*. 9*d*.; the goods of Mary Ann Tillett; well knowing them to have been stolen; against the Statute, &c.

MR. ESPINASSE *conducted the Prosecution.*

MARY ANN TILLETT. I am a widow, living in Collingwood-street, Bethnal-green. On the 7th of February I missed four shirts, two petticoats, two frocks, one pair of trowsers, a fustian jacket, a shift, a night-gown, a pair of socks, and various things of the child's; also two coarse aprons, a neck-handkerchief, and several other handkerchiefs, from a dirty clothes-bag—there are some children living in my house—I called them to me—a child named Grove, whose father and mother lived in a room of mine, in the same house, told me something, in consequence of which, I and my brother-in-law, and Grove, went to the shop of a man named Rakley, a

marine-store dealer in Old Cock-lane—I saw the prisoner there, standing at the counter—he appeared as a servant—I asked him if he knew the boy Grove—he said he did not—I told him that the boy said he was the person who bought the things of him—he said I must look in in the morning, when Mr. Rakley would be in the way, he knew nothing about it—I do not know that the boy made any answer—the next morning Mr. Rakley came and fetched me to his shop—we did not find any thing of mine—we went into another shop—a man turned up two bundles of things, and there was nothing of mine—by that time Mr. Rakley was in the shop, and in coming out of the other shop, a man brought me this handkerchief—I do not know the name of the man—I knew the handkerchief—it was mine—in the course of that day I got three boy's shirts from Mr. Rakley—they were mine—they were dirty when they were taken from me, but clean when they were brought back—this was on the Saturday morning—there is a young woman named Uestie living with me—I went on Monday to Rakley's shop again with Grove, and saw the prisoner there—the prisoner said he had no knowledge of Grove, he might have been there, and he asked the boy if he had sold the frock there—he said he had, that he was the man he had sold it to, and he had given him 1*d.* for it—the prisoner said he knew nothing about it—these are some of the articles I missed—(*looking at them*)—I have not found the others.

Cross-examined by MR. CHAMBERS. *Q.* What were the other things? *A.* Two boy's frocks—they were not torn to pieces, if they were torn up they would be rags—there was a pair of trowsers—they would make rags if they were torn up, as they were duck, and a fustian jacket—I did not find that, nor a shift, night-gown, two petticoats, one flannel one, and one cotton one, two aprons, children's stockings, and socks, and pinafores—Grove said he got 1½*d.* for the shirts, and 1*d.* for the frock—I have not found the other things—I do not know that they were all taken together—they were left off on the 2nd of February, and on the 7th, when I went to wash up my clothes, they were gone—the shirts and frocks were rolled up together—Grove is between ten and eleven years old—there were only my own children and him in the house—I never sold things in a rag-shop—when I went, the prisoner was in one shop, and there were two men in the other—the other man produced the handkerchief, and Mr. Rakley gave me the shirts—Grove denied all about it till I spoke to his mother—Rakley has lived there many years—I never knew the prisoner before—I knew his brother, who is a respectable man—I was not aware that the prisoner was in Mr. Rakley's service.

MARTHA UESTIE. I am single, and live with Mrs. Tillett. On the 2nd of February I recollect changing my gown in the prosecutrix's back room—it was a light-blue colour, with green and red flowers—I put it into a box, or a bag, in the prosecutrix's room—I missed it—I saw the boy Grove—in consequence of something he told me I went with him to Rakley's, and saw the prisoner there, standing behind the counter—Grove said he had sold the frock there, and that the prisoner gave him a penny for it—the prisoner said he had no knowlege of the boy; the frock was not there; and if I would call in the morning, if it was there, he would return it to me; but he was quite certain it was not—I then got a policeman, and went with him—Grove then said to the prisoner that he was the man—he was then taken into custody—he asked me what my frock was worth, and said,

sooner than there should be any *bother* about it, he would pay for it out of his own pocket—I said it was too late.

Cross-examined. *Q.* How long had you lived in this house? *A.* About eleven months—I used to put my things in this clothes-bag.

EDWARD GROVE. I am ten years old—I live with my father and mother, in the prosecutrix's house—I used to play with her children sometimes—we used to go up stairs into her room—two or three days before I was taken by a policeman I took some things—the first time I took the shirts from the room, and the second time Uestie's gown, from the bag—I took them to Mr. Rakley's rag-shop twice—I took the shirts the first time—I saw the prisoner, and he told me to put them in the scale—he gave me 1½*d.* for them, and threw them into a large basket—he did not say any thing else to me—I did not say any thing about these things—I was afterwards spoken to by Mrs. Tillett— I told her something—I went to Mr. Rakley's with her, and saw him and the prisoner there—Mrs. Tillett asked him if he knew me, and he said, no, he had no knowledge of me—I said that was the man that bought them of me, and I showed the basket where he had *chucked* them into—he said he would rather pay it out of his own pocket than have any *bother* about it.

Cross-examined. *Q.* What was it he was talking about when he said he would rather pay it out of his pocket? *A.* It was not about the shirts, they were found—it was about the gown—I had mentioned about the 1½*d.*—I knew there was linen in that bag, because I had seen Mrs. Tillett put things into it—there was a fustian jacket, some trowsers, and some other things—what they were I do not know—I took all these things, but the gown the first time—I got 1½*d.* for all these things—it was in the middle of the day—this clothes-bag was up stairs in the back room, hanging up—Mrs. Tillett's children did not see me take them—no one was there—it did not feel heavy to me—the children were out at play in the street—I knew I was doing wrong, and that I should go to hell, when I took them—no one has been telling me to make that answer to some other questions—I learnt at school to say, that if I was asked if I knew the nature of an oath, I was to say if I told a lie I should go to hell—no one told me to say so—I learned it before I stole these things—I know I shall go to hell if I tell a lie—Mrs. Tillett asked me about these things—I do not know why I did not tell the truth then—I stole an apron three months ago—I cannot remember the first thing I stole—I do not know what it was—I began to take things a good bit ago—I have lived with Mrs. Tillett almost a year—I had stolen nothing before I went there—I began there—my mother is a shoe-binder, and my father a weaver—I had been at a charity school, but not long—when I went into the rag-shop I saw the prisoner there—Mrs. Tillett asked me if that was the man, and I said, "Yes"—I cannot say the Lord's Prayer—I only saw one man in the rag-shop.

WILLIAM PAYNE (*police-constable H* 22.) On the 10th of February, in consequence of information, I went with Grove to Rakley's shop, and found the prisoner—I asked him if he had any knowledge of the boy—he said he had not—I asked if he recollected buying a frock, or any thing else, of him—he said, "No"—he said he would search and see, and if I would call the next morning he would give it me, and if not he would pay for it out of his own pocket—I said it was too late then, and asked Grove if he was the man—he said, "Yes."

WILLIAM ALDERMAN (*police-sergeant H* 7.) On the 10th of February

Grove was brought to the station-house—from what he said, I went to Rakley's shop, and saw the prisoner there—I told him he was charged with receiving stolen goods, and named some things to him—he said he had no knowledge of the boy or the property, and he would rather settle it than have any *bother* about it.

COURT. *Q.* What is the value of rags? *A.* 3½*d.* a lb.

Cross-examined. *Q.* Did you know the prisoner before? *A.* No—I knew his brother—he was very respectable—Rakley's is a marine-store shop—there is a large board over the shop, with "Dealer in marine stores" on it. NOT GUILTY.

879. WILLIAM WINTLE was *again* indicted for receiving 1 frock, value 4*s.*, the goods of Martha Uestie.

MR. ESPINASSE offered no evidence. NOT GUILTY.

880. JOHN DAVIES was indicted for stealing, on the 20th of February, 1 handkerchief, value 2*s.* 6*d.*, the goods of James Tooley, from his person.

JAMES TOOLEY. I am a footman. Between eight and nine o'clock in the evening of the 20th of February, I was walking along Pall Mall—I observed the prisoner and his companion following me—when I got to Waterloo-place, the prisoner took up the tail of my coat twice, and he came on my heels—he stopped back a little while, and then he and his companion followed me again—the prisoner took the handkerchief out of my pocket—I turned and collared him—he gave it to his companion who went away with it—I am quite sure I saw the handkerchief in the prisoner's hand, and he passed it to his companion—it was like my handkerchief, and it was mine—the prisoner was not a yard from me when I turned and collared him.

Prisoner. When he turned, I was ten yards away from him, and he said, "You have got my handkerchief"—I said, "I have not, I have not seen it"—he said I had thrown it behind the railing—I said I had not—he kept me, and gathered a mob—he was looking behind the railing for the handkerchief—there was no policeman came for a quarter of an hour or twenty minutes—I told him he detained me wrongfully.

GUILTY. Aged 21.—Confined Three Months.

881. WILLIAM STONE was indicted for stealing, on the 29th of February, 1 hat, value 2*s.* 6*d.*, the goods of Robert Brodis; and 1 coat, value 12*s.*, the goods of Edwin Lock.

ROBERT BRODIS. I am a recruit, belonging to the 24th Regiment. I was staying at the William the Fourth beer-shop in Gardener's-lane, Westminster, for about a fortnight—I was there on the 29th of February—Edwin Lock and the prisoner were there—they were in one bed—I had this hat there, and Lock's coat was there safe on the Friday night, the 28th of February—next morning I awoke about a quarter-past seven o'clock—my hat and Lock's coat were missing, and the prisoner was gone—Lock and I got up, we ran down and found the prisoner with the hat and coat on him—we asked him what he did with the coat—he said merely to keep himself warm—we asked what he did with the hat—he made no answer.

EDWIN LOCK. I slept in this room—I had this coat there, and missed it—I found the prisoner on the lower flight of stairs with the coat on—I

asked what he did with it—he said, merely to keep himself warm—this hat was on his head, his own hat was up-stairs, and it was worse than this.

GUILTY.* Aged 55.—Transported for Seven Years.

882. GEORGE GILES was indicted for stealing, on the 25th of February, 2½ lbs. weight of mutton, value 1*s.*, the goods of John Walker.

JOHN WALKER. I live in Theobald's-road, and am a butcher. On the 25th of February, I was in the parlour at the back of my shop about eight o'clock in the evening, and saw the prisoner take a piece of mutton off the front board—he ran away—I ran after him, and overtook him—he gave the mutton to one of two boys who were with him, and they got away, but I kept the prisoner.

Prisoner. I never took it at all—I was just coming from the play where I had sold my bills. *Witness.* I am positive I saw him take it, and his mother came to offer to pay me for it.

GUILTY.* Aged 15.—Transported for Seven Years.—Convict Ship.

883. SAMUEL STRAND was indicted for stealing, on the 25th of February, 2 drinking-glasses, value 1*s.* 6*d.*, the goods of William Bull.

SARAH BULL. I am the wife of William Bull, who keeps the Black Bull public-house, at Kingsland—the prisoner is horse-keeper to Mr. Spinks who occupies the yard of our house. On the 25th of February I accused him of having a glass in his possession belonging to me, which he denied—I said if he would give it up, I would freely forgive him—he still persisted that he had not, and I gave him into custody—these two glasses here produced were found in the prisoner's box—one of them I am certain is ours—it has our name on it—the other I could not swear to, but I have every reason to believe it is ours.

Cross-examined by MR. ESPINASSE. *Q.* You have nothing particular to know the other glass by? *A.* No; but our taps are very low, and we are apt to have the top of the glasses chipped as this is.

PRUDENCE CHASE. The prisoner lodged with my husband and me—the officer came and opened the prisoner's box, and found these glasses.

Cross-examined. *Q.* Do you know it was his box? *A.* I know it was what he brought in as his box—it was a common deal box, and locked—a man named Hawkins lodged in the same room—he had been there longer than the prisoner had—Hawkins goes with the *busses*, and jobs about—he is not married—no woman lives with him—the prisoner and him were on good terms for any thing I know—I do not know that I ever heard the prisoner andothers jeering, and making fun of Hawkins—the prisoner did not bring the box to my lodging for a good bit after he came there—I never saw him unlock it or make use of it—Hawkins had brought a box before the prisoner brought this one.

WILLIAM SMITH (*police-constable N* 272.) I went to the room and broke open the box—I found these glasses in it—the prisoner was at the station-house.

Cross-examined. *Q.* Did you ask him for the key? *A.* Yes, before I left the station-house—he said his brother had the key—I waited till his brother came, and he said he had not got it.

(The prisoner received a good character, and his master promised to employ him.)

GUILTY. Aged 20.—*Recommended to mercy.*—Confined Eight Days.

884. MARY PITKIN was indicted for stealing, on the 11th of February, 1 bonnet, value 3*s.*; 1 shawl, value 2*s.*; 1 apron, value 2*d.*; and 5 shillings, the property of William Green.

ANN GREEN. I am the wife of William Green. I took the prisoner in out of the street—she was with me about a fortnight. On the 11th of February my room door was locked, when I went to bed—the prisoner was in the same room—my husband got up at four o'clock in the morning, and went to work—he returned soon after, and asked if I had taken any money out of his pocket—I said I had not—the 5*s.* were taken out of his pocket—the prisoner was missing, also my bonnet, shawl, and apron—she was found with my bonnet and apron on—these are them—(*looking at them.*)

HENRY LANGHAM. I produce this shawl, which was pawned at my master's shop, but I cannot say by whom—this is the duplicate given.

DENNIS DALEY (*City police-constable, No.* 397.) The prisoner was given into my charge on the 14th of February—I found this bonnet and apron on her, and the duplicate of the shawl.

GUILTY. Aged 18.—Confined Six Months.

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885. JOHN HART and THOMAS SPICER were indicted for stealing, on the 29th of January, 1 loaf of bread, value 1*s.* 5*d.*, the goods of Thomas Deacon Main; and that Hart had been before convicted of felony; to which

HART* pleaded GUILTY. Aged 15.—Transported for Seven Years to the Convict Ship.

THOMAS DEACON MAIN. I am a baker, and live in Royal Hospital-row, Chelsea. On the 29th of January, I missed a loaf of bread from my window, worth 1*s.* 5*d.*

WILLIAM LAWRENCE. I am in the employ of Mr. Stacey, a shoemaker, in Pimlico. On the 29th of January, about four o'clock, I was near the prosecutor's shop—I saw the two prisoners at the window—I saw Hart go in and take a loaf, and give it to Spicer, and they ran away down a court.

JAMES BRADLEY (*police-constable P* 134.) I took Hart first, and then I took Spicer—he said he had part of the loaf, but he did not steal it.

SPICER†—GUILTY. Aged 17.—Transported for Seven Years.—Convict Ship.

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886. FRANCIS TUBBS was indicted for stealing, on the 22nd of February, 1 steel wheel bit, value 9*d.*; 1 screw, value 2*d.*; and 1 cramp, value 4*d.*, the goods of the Great Western Railway Company; to which he pleaded

GUILTY.* Aged 31.—Confined Six Months.

(There were three other indictments against the prisoner.)

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887. JOSHUA FURNESS was indicted for stealing, on the 4th of February, 15lbs. weight of iron, value 6*s.*, the goods of the company of proprietors of the Regent's Canal.—2nd COUNT, stating it to be the goods of David Lewis.

MR. BALLANTINE *conducted the Prosecution.*

CHARLES WRIGHT. I keep the White Hart public-house, in Queen-street, Ratcliffe. On the 4th of February, about twelve o'clock, I saw the prisoner at the end of Noah's Ark-alley, which is opposite my house—he had this piece of iron in his hand—Mr. Jones was in my house at the time—he went up to the prisoner—the iron was then out of the prisoner's hand, but was close by him—Jones laid hold of the iron and of the prisoner—

there was some conversation between them—I saw the prisoner get away from Jones.

CHARLES JONES. I am a constable in the employ of the Regent's Canal Company. On the 4th of February, I was at the White Hart public-house —I saw the prisoner in Noah's Ark-alley—this iron was against the wall, within a foot or two of the prisoner—I recognized the iron—it is a shifting iron for a pile-driving engine, and the engine without it would be of no use —I went to the prisoner and asked where he got it—he said, "It don't belong to you, Jones"—I said it did—I asked him again where he got it—he said, from a place by the water-side—I said I disbelieved him—I took hold of the iron and of him, and said he must come with me—he overpowered me, and got away—he was taken again on the evening of the 26th.

JAMES GREEN WARD. I am a constable in the employ of the Regent's Canal Company. I know this iron perfectly well—it belongs to a machine of theirs—I had seen it safe two or three days before the 4th of February —I had taken it to their blacksmith to be repaired—I fetched it home and deposited it on the north side of the Regent's Canal Dock, on their premises.

DAVID LEWIS. I am dockmaster to the Regent's Canal Company, and have the care of their articles—I had this iron on the 4th of February.

WILLIAM YEOMAN (*police-constable K* 57.) I apprehended the prisoner on the evening of the 26th of February—I told him what it was for—he said he knew nothing about it.

GUILTY. Aged 31.—Confined Three Months.

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888. ALFRED ELGER was indicted for stealing, on the 27th of January, 1 watch, value 1*l.*; 1 chain, value 2*s.*; and 1 seal, value 3*s.*; the goods of Thomas Miller, his master.

MR. DOANE *conducted the Prosecution.*

THOMAS MILLER. I am a pawnbroker, and live in Kingsland-road. On the 16th of January I took the prisoner into my service, and discharged him on the 27th, as he was not sufficient for me—on the 8th of February, I missed a watch—it was subsequently found at Mrs. Avila's—this is it— —(*looking at one*)—I have no doubt of it whatever—the last time it was pledged with me was on the 17th of October, 1838, and on the 8th of February when the party came to renew it, I went to my plate chest, and missed it.

Cross-examined by MR. JERNINGHAM. *Q.* Had you a good character with the prisoner? *A.* Yes, for honesty and sobriety.

CHARLES SELLS. I am in the service of Mr. Miller. I remember this watch, chain, key, and seal being brought to my master's, in October, 1838—I took it in—it went to the plate-chest—I did not look for it before the 8th of February, I then missed it from the plate-chest—my master went to Mrs. Avila's on the Thursday following, and on Sunday the 16th I went to the prisoner's residence, in North-street, Mile-end—I found him there, and the officer who was with me took him.

JAMES HAMMETT. I am in the service of Sarah Avila, a pawnbroker, in Mile-end-road. The prisoner pawned this watch there on the 29th of January, for 10*s.*—he said it was his own, and gave his name as John Adams.

Cross-examined. *Q.* Are you clear as to the identity of the prisoner? *A.* Yes.

GEORGE KEMP (*police-constable N* 82.) I went to the prisoner's house he asked to go and clean himself, which he did, and jumped out at the one-pair back-window—I took him—I searched his box, and found two duplicates in the name of John Adams.

GUILTY. Aged 18.—Judgment Respited.

889. THOMAS STONEMAN was indicted for stealing, on the 18th of February, 1 saddle, value 2*l.* 10*s.*; and 2 bridles, value 10*s.*; the goods of Frederick Mattam.—2nd COUNT, for stealing 1 saddle, value 2*l.* 10*s.*, the goods of Francis Henry Dyke: 1 bridle, value 5*s.*, the goods of Alexander Gordon: and 1 bridle, value 5*s*, the goods of Frederick Mattam.

FREDERICK MATTAM. I am a livery-stable keeper, in Brook-street, Piccadilly. A saddle of Mr. Francis Henry Dykes, and a bridle of Mr. Alexander Gordon's, were left in my charge—about the 18th of February I missed the saddle, and on the 22nd I was told there was a saddle and two bridles at a certain place—I went home, and missed my own bridle, but I did not miss Mr. Gordon's bridle till I saw it—these are the articles—(*examining them*)—I can identify them all—I know the prisoner—he was coachman to Sir Frederick French, who kept his horses with me at livery.

WILLIAM SPENDLOVE. I am a saddler and harness-maker. On a Wednesday, (I believe, the 12th of February,) the prisoner came to me about seven o'clock in the evening—he said, "Is your name Old John?"—I said, "There is no Old John here, my name is William"—I shut the door in his face—in about five minutes he came again, and said, "Don't you buy bridles and saddles?"—I said, "Why?"—he said, "I was recommended to you by Mr. Thomas's ostler"—I said, "I know Mr. Thomas's ostler, but I shan't buy any thing of you to-night"—I afterwards saw Mr. Thomas's ostler, and I asked him if he had sent any body to me, he said, "Yes"—the prisoner came to me again, and I bought these two bridles of him for 10*s.*—(the bits of them are worth the money)—he then said, "I have got a saddle to sell, but I lent it to a person, and I will bring it on Saturday"—on the Saturday he came, and brought this saddle—I asked what he wanted for it—he said, "2*l.* 5*s.*"—I said, "How came you by these things?"—he said, "They were given to me by my late master, I live at No. 39, Adam-street"—I sent my daughter to see it was right, and I gave him the 2*l.* 5*s.*—on the Wednesday after he came to me again, and said, "That saddle and two bridles were in pawn for 30*s.*, and the man is not satisfied with the money you gave me"—I said, "You told me they were your own, bring me my 2*l.* 15*s.*, and take them away"—he said, "I am going with my master to the levee, and I will come in the evening"—he came in the evening, and said, "The young *dog* is satisfied"—but as I was not satisfied myself, I took the saddle to a saddle-maker's, who told me it was made for Mr. Dyke—I left the saddle and bridles with him—on the Saturday following I went in search of the prisoner—I found him at home—I said to him, "Those bridles and the saddle are not right, they are stolen," and off he went, I never could set eyes on him till the Friday following, when he was taken.

JOHN NIBBS (*police-constable D* 145.) I apprehended the prisoner in his own house—I said I wanted him on suspicion of stealing two bridles and a saddle from Mr. Mattam—he made no answer.

JOHN CAZALEATIS. I am ostler to Mr. Mattam. I know the prisoner —I never lent him this saddle, nor bridles, nor authorized him to take them—one of the bridles was not locked up, the other was—I have given the prisoner the key to get any thing that was wanted.

Prisoner. Did you not lend me a bridle? *Witness.* No, nonsense, it is a likely thing I should lend him a gentleman's bridle—I did not.

Prisoner. Yes, he did, I had but one, that was dirty, and he lent me one to go and exercise a horse—I had been in great distress, and sold every thing I had—I had a wife and two children to keep—though I was in Sir Frederick French's service it was only for a fortnight—I beg for mercy.

GUILTY. Aged 33.—Transported for Seven Years.

Fifth Jury, before Mr. Sergeant Arabin.

890. ROBERT GREEN was indicted for stealing, on the 22nd of February, 1 purse, value 3*d.*; 1 half-sovereign, 10 shillings, and 1 sixpence, the property of Edward Parr, from the person of Mary Parr.

EDWARD PARR. I am a French polisher, and live in Union-street, Middlesex Hospital. On Saturday night, the 22nd of February, I was walking with my wife, about ten minutes before twelve o'clock, in the Commercial-road—my wife had hold of my arm—I felt a pressure behind me—I looked round, and there were four men, the prisoner was one of them—I saw him *shove* something into his pocket, and he stooped down to do something to the strap of his boot—I said to my wife, "Is your purse safe?"—she felt, and said, "It is gone"—I turned back, and on the other side of the road I saw the prisoner—I went and said, "I want that purse you took from my wife, give me that purse"—he said, "What purse?" —I took hold of his collar—he tripped me up in a moment, but I jumped up on my feet, and threw him, and tore his coat—at that moment he took the purse from his pocket, got it between his legs, and tried to get it down a grating—I put my hand between his legs, and took the purse from him —my wife said, "That is my purse, I will swear to it"—this is the purse —(*looking at it*)—the money stated was in it, but that was allowed to me at the office.

MARY PARR. I am wife of Edward Parr. What he has stated is true —this is the purse I had in my pocket, it contained a half-sovereign and 10*s.* 6*d.*—it was in my pocket on my right side.

RALPH THOMAS. I am a bargeman. I was going down to Limehouse, and saw the prosecutor and the prisoner, thinking the prisoner would get from him, I lent a hand to hold him—I saw the prisoner get the purse from his right hand pocket, and try to drop it from him through his legs, but the prosecutor got it from him.

JOHN ADAMS (*police-constable K* 124.) I took the prisoner.

Prisoner's Defence. I was going down the road, and picked up the purse; this man came and said, "You have got my wife's purse." I said, "No, here is a purse I have just picked up;" I gave it into his hands, and he tore my coat.

GUILTY. Aged 20.—*Recommended to mercy by the Prosecutor.*— Transported for Ten Years.

891. HENRY WALTHAM was indicted for stealing, on the 18th of

July, 3 sovereigns, 1 half-sovereign, 2 half-crowns, 1 groat, and 1 halfpenny, the monies of George Tickell, his master.

GEORGE TICKELL. I am a cheesemonger, and live in Broad-street, Grosvenor-square. The prisoner was errand-boy to me for about ten days—I sent him, on the 18th of July, to the collector of the assessed taxes at Charing-cross—I gave him three sovereigns, one half-sovereign, two half-crowns, a groat, and a halfpenny, to pay on my account—he went out, and never returned—I was looking for him till November, when he was taken on another charge—he was taken on this charge from Clerkenwell prison, on the 24th of February.

Prisoner. You say I was in your employ on the 18th of July, that is false; I never was in your employ in July, it was June; and I never was trusted with the money either. *Witness.* I will swear I gave you the money, and at that time.

BARTHOLOMEW ROSSELLOTY. I am the collector of taxes. The prisoner never paid me any money—I received the money from the prosecutor, on the 20th of July.

Prisoner's Defence. In November last, I was convicted from here, and had three months, and Mr. Tickell said he should have his wish now, and if his own charge was not enough, my former conviction would assist him; I wrote to him to know if he had any charge against me, and he said that was his business, not mine.

GUILTY.* Aged 18.—Transported for Seven Years.

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892. ANSELM JENKINS was indicted for stealing, on the 25th of February, 28 lbs. weight of iron, value 3*s.*, the goods of John Bond.

WILLIAM DODD BOND. I live at Old Brentford, in the parish of Ealing. This iron was on a wharf belonging to my father, John Bond—it is a *tie*, which keeps the land up from the water—it was secure on the 25th of February, and I missed it on the 26th—I made inquiries, and on Monday last I received information, and went to a marine-store dealer's, where I found it, this is it—(*looking at it*)—there are 28lbs. weight of it—I have seen the prisoner many times, he lived not far from where the iron was lost.

Prisoner. Q. Have you any mark on it? *A.* I could swear to it from a thousand pieces; I had examined it particularly on the 25th, it was fixed in the ground, I tried to see if it was loose, if it had been I should have put it into the shed.

MARY MARTIN. I keep a marine-store shop. I bought this iron of the prisoner.

Prisoner. I was walking by the river, and drew a post out of the water, which had this iron attached to it.

GUILTY. Aged 50.—Confined One Month.

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893. THOMAS ALLUM and HENRY RUSH were indicted for stealing, on the 25th of February, 25 yards of merino, value 1*l.* 16*s.*, the goods of John Hollick.

JOHN KARBY. I live next door to Mr. Hollick, in High-street, Poplar. On the 26th of February I saw the prisoner Allum run away from his shop, with the merino under his arm—when he had run about twenty yards, he joined Rush, who was at the corner of a turning, and tried to conceal the property under his apron—Rush could see the prosecutor's shop from where he stood—as soon as they saw me they ran away up different passages, and up Bow-lane—I then found Allum in a passage, I

put my hand on his shoulder, and he dropped the merino at my feet, and ran into the arms of my neighbour, who was with me—Rush ran off, but was brought to the station-house in about five minutes—this is the merino —(*looking at it.*)

SUTTON EDWARD CROW. I am in the service of Mr. John Hollick—I saw this merino safe at the shop, on the top step, about twelve o'clock that day—I did not see the prisoner take it.

JOSEPH BARK. I was at my top-room window, which is next door but one to the prosecutor's—I saw Rush stand at a distance, and give a nod to Allum—I went down stairs, and just as I got into my shop, I saw Karby run past—I ran with him, and took Allum—I took him to the station-house, and as there was no policeman there, my son went out and took Rush, who had been watching Allum going to the station-house.

Rush. *Q.* Had you your window open, that you could see me nod at him? *A.* My window was not open, but I saw you quite distinctly; you were on the other side, and you tried to put your apron over the property.

Rush's Defence. I was going to the East India Docks, a man came and said he wanted me, and I walked with him to the station-house.

ALLUM*—GUILTY. Aged 19.
RUSH*—GUILTY. Aged 17. } Transported for Seven Years.—Convict Ship.

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894. MARGARET HALL was indicted for stealing, on the 18th of February, 1 watch, value 2*l.* 6*s.*; 1 watch-chain, value 6*d.*; 1 seal, value 6*d.*; and 1 watch-key, value 3*s.*, the goods of Richard Reeder; and ELEANOR ATKINS, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

RICHARD REEDER. I am a smith. On the 18th of February I was in company with one of my shopmates, Thomas Morrell—we were in Vinegar-lane, St. George's, about one o'clock in the morning—the two prisoners were standing at the door of their house—my shopmate knew one of them, and we went in—they began asking for something to drink—we told them we had no money, but I said they might go to Mrs. Dodd's, at the Ship public-house, and ask for some beer in my name—Hall went, and they would not let her have any—I went myself and fetched some beer—we drank—I and Hall then went up stairs—I had some money in my pocket, but she did not know that—I had my watch—I drew that out of my pocket, and laid it on the window sill—Hall was in the room at the time—I began to pull off some of my clothes—she took up the watch, and ran down stairs—I put my clothes on as quickly as I could, and hastened down after her—when I got down, the two prisoners and several more, men and women, were in the room—I asked for my watch, and said if they would give it me I would say no more about it—Hall would not give it up, and I called the police—they began pushing me about and scratching me, and wanted to get me out—the policeman came, and I gave Hall into custody—I saw the officer draw the watch from Atkins's bosom, and she said it was left with her for 5*s.* by Hall.

Cross-examined by MR. PAYNE. *Q.* How far from this house do you live? *A.* This happened at No. 20, and I live at No. 29—I had a wife waiting for me at home—I got some beer and some rum at the public-house—we all drank of it—when Hall took the watch I said to her, "You are not going to have that," and she said she should not be long before she

came back—when I went down I said, "You have robbed me of my watch, give it me back"—Hall said, "I have got it, and I mean to keep it"—I heard that Atkins was married that day—my wife heard me calling for the police, and she came and found me in the house.

SAMUEL GREGORY (*police-constable K* 139.) About one o'clock in the morning of the 18th of February, I was on duty in the Commercial-road, a person came and said there was a man at No. 20, Vinegar-lane, setting fire to the house—I went, and found the prosecutor and an officer there—I asked Hall where the watch was—she said, "I have got it"—I searched her, and she had not—Atkins went out of the room—I followed her, and at the bottom of the stairs a woman said, "I think that is the person who has got the watch"—I searched Atkins's bosom, and found the watch—she did not deny having it, but said it was given her for 5*s.*

ROBERT WHITTLETON (*police-constable K* 152.) I heard the prosecutor calling "Police"—I went to the house, and asked Hall for the watch—she said she had got it, but would not give it up till he had paid her 5*s.* for the room.

Hall's Defence. When the prosecutor came to the house, he said he should stop with me—he said he had no money—I took the watch, and he set the bed clothes on fire, and a woman called the police.

NOT GUILTY.

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895. ANN MARTIN was indicted for stealing, on the 28th of February, 2 yards of worked muslin, value 6*d.*; 1 night-gown, value 6*d.*; 1 pair of shoes, value 4*d.*; 1 handkerchief, value 6*d.*; 5 pairs of stockings, value 2*s.*; 2 yards of silk, value 3*s.*; and 1 shirt, value 4*s.*, the goods of Thomas Delves, her master.

ELIZABETH CHESTER DELVES. I am the wife of Thomas Delves, we live in the New-road. The prisoner chared for me, and occasionally lived with me and took care of the children—she had done so for six years—she had been in my house for six months—I have been missing articles for the last five years—I spoke to the prisoner about it, but I never suspected her—my little boy told me of something, and I found some of my property hid—I spoke to the prisoner about it, and she said she would down on her knees to beg my pardon if I would not tell my husband—I then insisted on searching her box, and found some of these articles—she begged forgiveness—I was present when her lodgings were searched—five pairs of stockings and a shirt of my husband's, and some other things were found there—these are the things—(*examining them*)—they are all mine.

THOMAS DELVES. I was present when the prisoner's box was searched, and my property was found—she begged forgiveness.

JOSEPH PRICE (*police-constable H* 133.) I was present on the 29th of February when the prisoner's box was searched.

Prisoner. The stockings were given me by her sister in April last, and the other things she gave me herself—I have been seven years in her house, and nursed her when she was out of her mind, and with six children—they took several things out of my box which was not theirs.

MRS. DELVES *re-examined.* I never gave her any of these things—there were some of my sister-in-law's stockings in her box, but those stockings are mine.

THOMAS DELVES *re-examined.* My wife has been ill with the brain fever and typhus fever, but as to saying that she gave the prisoner these things it is

ridiculous—a great number of other things were found that we did not charge the prisoner with, such as raisins and currants, and other things.

(The prisoner received a good character.)

GUILTY. Aged 56.—Confined Four Months.

(There was another indictment against the prisoner.)

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896. HENRY JAMES and MARGARET BARRY were indicted for stealing, on the 26th of February, 1 coat, value 15*s.*, the goods of George Walmsley and others.

THOMAS ODELL THOMPKINS. I am in the service of Mr. George Walmsley and others—they are pawnbrokers, and live in Drury-lane. On the 26th of February, between five and six o'clock in the evening, I missed a coat, which had been hanging just inside the door, as I was taking the goods in—I had seen it safe half an hour before—this is the coat—(*looking at it*)—it is my employers'—I do not know the prisoner.

GEORGE TREW (*police-constable H* 125.) On the evening of the 26th of February I was on duty in plain clothes at Drury-lane theatre—I saw the prisoner James come running down with this coat, and doubling it up, and putting it in a handkerchief—I suspected him, and followed him round the yard, and saw him put the coat into the female prisoner's apron—I went and asked her what she had got—she would not tell me—she was not in Drury-lane.

JOHN EATON (*police-constable S* 193.) I was on duty in plain clothes—I saw James come running down Vinegar-yard with the coat—he could not get through, and he turned back, and put the coat into Barry's apron—my brother officer took her, and I took James—I asked him where he got the coat—he said he knew nothing of the coat, nor the woman either.

James' Defence. The coat was given me to pawn—I met this young woman, and asked her to pawn it—she *chucked* it on the ground, and the officer came and took us.

JAMES*—GUILTY. Aged 18.—Transported for Seven Years.

BARRY—NOT GUILTY.

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897. SUSAN PIKE was indicted for stealing, on the 21st of February, 1 table-cloth, value 1*s.* 6*d.*; 1 shift, value 9*d.*; 1 bed-gown, value 9*d.*; 1 watch, value 10*s.*; 1 watch-ribbon, value 1*d.*; and 1 watch-key, value 1*d.*; the goods of James Steward.

ANN STEWARD. I am the wife of James Steward; we live in Cottage-buildings, St. Pancras. On the 20th of February the prisoner came and asked for a lodging—I had a room empty, and I took her in—(I take in servants out of place)—I said I would charge her 2*s.* a week—she gave me 6*d.* earnest, and said she would return in a short time, and when she brought her box she would pay me the other 1*s.* 6*d.*—she came back, I was sitting alone, making up caps, and she offered to make up one for me—I thanked her, but did not accept of her offer—my husband came home, and we had supper—the prisoner said she had had her supper—she then went to bed—the next morning she came down, and I asked if she would take breakfast—she said no, she could not take breakfast till she had done some work—after I had done breakfast I asked her if she was going out—she said no—I said, "I must go out to get something for dinner"—she said she would not go out till I returned—I came back in about a quarter of an hour, and found my door ajar—I missed my watch and table-cloth, which I had taken

off the table after breakfast—I then missed the other things—the prisone was gone—I went to give an alarm—I did not see her again till she wa in custody—the property has been found—it is mine—(*looking at it.*)

MARY ANN HOUSEDEN. I keep a shop in Monmouth-street. I bough this table-cloth and these other things of the prisoner for 1*s.* 8*d.*—she sai they were her own.

GEORGE PORTSMOUTH (*police-constable E* 117.) On the 21st of Febru ary I received information of this, and found the prisoner in Museum-street—I took her to the station-house, and this watch was found in he hand.

GUILTY.* Aged 18.—Transported for Seven Years.

898. ANN ROBINS was indicted for stealing, on the 24th of February, 1 union breast-pin, value 5*s.*; 1 sovereign, and 1 half-sovereign; the pro perty of Abraham Hale, from the person of Sarah Hale.

SARAH HALE. I am the wife of Abraham Hale, a soldier: I get my living by washing, and live in Deane-street. I was passing through St. Giles's on the 24th of February—I had been to draw a little money—I had a union breast-pin, a sovereign, and a half-sovereign—I had been drinking, and got a little intoxicated—I fell down in a passage, and the prisoner picked me up—I said I was very much obliged to her, and I would treat her, and we drank together—about eleven o'clock, as I was going home, I missed my pin—I do not know when I lost it—the prisoner told me to take care of my money—she said she would take care of it, and lock it up—she put it into my bosom, as I thought, but I found three farthings instead of the sovereign and a half—the policeman has got the pin, but I have not seen the money—I came from Hull.

ELEANOR JONES. I live in St. Giles's. I saw the prosecutrix and the prisoner together, at the corner of Lawrence-street, St. Giles's—they were standing talking rather loud together—I was quite a stranger to them—I stood to listen—I saw the prisoner put her hand to the prosecutrix's bosom and then to her own—the prosecutrix pulled open her cloak, seized the prisoner's bosom, and took out a pin, and showed it to me—the police man came up, and said, "What is the matter?"—the prosecutrix said, "Nothing now," that she had got her pin, and she did not want to have any more to do with her—they were both in liquor.

ABRAHAM HALE. I am husband of the prosecutrix, and belong to the 3rd Regiment of Guards. My wife went to get this pin out of pledge—I know this to be her pin, and that she had some money.

RICHARD ETHRIDGE (*police-constable E* 165.) About a quarter-past eleven o'clock in the evening of the 24th I was passing up High-street—I saw the prisoner and prosecutrix at the corner—the prosecutrix had her cloak off—I asked what was the matter—she said, nothing, as she had got her property—the prisoner went on a little way—I took the prisoner, and the prosecutrix identified the piece of rag that the three farthings were wrapped in as being the piece the sovereign and the half were wrapped in.

(*The prisoner, in a very long address, stated, that she and the prosecutrix had been drinking in several public-houses, and when they were about to part, the prosecutrix suddenly accused her of robbing her of her pin, but she found it in her own bosom.*) NOT GUILTY.

899. WILLIAM JONES was indicted for stealing, on the 28th of

February 1 handkerchief, value 6*d*., the goods of Gerrard Ellis, from his person; and that he had been before convicted of felony.

GERRARD ELLIS. I am a carpenter. On the 28th of February, the night the Queen went to Covent-garden theatre, I went to see her come out—I felt a press against me, and saw the prisoner behind me—I felt my handkerchief safe then—my little brother was with me—I lifted him up to see the Queen pass—I felt a press behind me at that time, and the policeman asked me if I had lost any thing—I said, "Yes, my handkerchief"—the prisoner had then gone from the place where he had been standing before—I told the policeman I thought the man with the short pipe, (meaning the prisoner,) had got the handkerchief—he went and took him—the handkerchief has not been found.

ROBERT BURR. I am an officer. I was on duty in St. James's-street, and saw the prisoner and another try several pockets, then go behind the prosecutor, and feel his pocket—I saw the prisoner put his right hand into the prosecutor's pocket, take out the handkerchief, and give it to the other, who went off—I then spoke to the prosecutor.

Prisoner's Defence. The mob was dispersed before the officer took me, he said I had robbed the gentleman, and I said I had not.

FREDERICK TULL (*police-constable A* 183.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 28.—Transported for Ten Years.

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900. JOHN LITTLEWORTH was indicted for stealing, on the 25th of February, 2 knives, value 1*s*., the goods of Thomas Wells.

GEORGE TENNANT. I live at the Lord High Admiral public-house, in Marylebone; my master's name is Thomas Wells. The prisoner came to our house on the 25th of February—he went into the tap-room—I had seen him before—I had some suspicion, and watched him—I saw him put a knife up his sleeve, and told my master—he went into the tap-room, and said, "One of you, gentlemen, have got some of my property"—I pointed out the prisoner, and he found on him two knives.

EDWARD KELL (*police-constable S* 103.) I took the prisoner.

Prisoner's Defence. I took up these two knives merely to keep them till a friend came in to breakfast—I had no intention of stealing them.

GUILTY. Aged 60.—Confined Three Months.

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901. ELIZABETH BROWN was indicted for stealing, on the 29th of February, 2½ yards of oil-cloth, value 3*s*., the goods of James Edward Watts.

JOHN GODFREY. I am shopman to James Edward Watts, a pawnbroker, in Angel-terrace, Hammersmith. This oil-cloth was on the step of the door—I was serving in the shop, about half-past twelve o'clock, and a young man told me something—I missed this oil-cloth—I followed the prisoner, and overtook her in the Broadway, with this under her arm—it is worth 3*s*.

Prisoner's Defence. I picked it up on the stairs.

GUILTY. Aged 52.—Confined One Month.

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902. MARTIN GAVAN was indicted for stealing, on the 3rd of March, 1 handkerchief, value 1*s*., the goods of Theodore Day, from his person.

JOHN SHUTE (*police-constable G* 219.) About a quarter before five o'clock last Tuesday afternoon, I was passing Moorgate-street—I saw a crowd round a horse that had fallen—I saw the prisoner, and another boy, try several pockets, and the prisoner partly drew out the prosecutor's handkerchief—the prosecutor moved; then he came back, and the prisoner drew the handkerchief from his pocket, and was rolling it up—I seized him with it in his hand—the other boy kept close to him.

THEODORE DAY. I was looking at a horse that had fallen—this is my handkerchief—(*examining it*)—I lost it.

Prisoner's Defence. Another boy took it and *chucked* it down—I could not do it with one hand—I have one bad hand.

GUILTY.* Aged 11.—Transported for Ten Years.—Convict Ship.

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903. JOSEPH HENRY SHOULTS was indicted for embezzlement; to which he pleaded

GUILTY. Aged 18.—*Recommended to mercy by the Prosecutor.*

Confined Six Weeks.

OLD COURT.—*Friday, March 6th,* 1840.

First Jury, before Mr. Sergeant Arabin.

904. JOHN STRADLING was indicted for stealing 7 planes, the goods of Josiah Lewis; to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

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905. MATTHEW FOWLES was indicted for stealing, on the 26th of February, 1 pair of stockings, 1 handkerchief, 7 sovereigns, and other articles, the property of Robert George Clark, in the dwelling-house of Joseph Connell.

ROBERT GEORGE CLARK. I am a labourer at the West India Docks, and live in Marmont-street. Joseph Connell is the landlord, and lives in the house—the prisoner lodges in the house, and occupied the same room with me—he came on Tuesday the 25th of February—he called himself a shoemaker—he lodged only one day with us—I keep my money in a box close to the bed—there were seven sovereigns, and 2*l.* in silver—I had a handkerchief in the box—I keep the key in my waistcoat pocket—I got up and missed the key of my box, and told him I had lost the key—there were four penny-pieces in my pocket with the key—he pretended that he was not well—I left him in bed, and went to breakfast—I went up again to look for the key, and met him coming down stairs—he had left his jacket and waistcoat on the chest—I asked him why he did not take his clothes down, that I might lock the door—he said nothing, and I took his things down, locked the room-door, and thought every thing was safe, till I came home in the evening, and he was not there—he never returned to his lodging at all—I got a smith to open the box, and missed seven sovereigns and 2*l.* in silver, in another purse, a waistcoat, and a pair of stockings—nobody but him had been in the room—I locked the door inside when I went to bed.

JAMES EAVES. I am a policeman. The prisoner was given into my custody, on Wednesday the 26th of February, between seven and eight o'clock—I took him to Spitalfields station-house—I found a watch round his neck, and these ear-rings in his pocket, a new coat on his back, and a new waistcoat—I asked him where he got them—he said he bought them

that he gave 10*s*. for his coat in exchange for his jacket, and 3*s*. or 4*s*. for his waistcoat, and 3*s*. for the ear-rings—I found a handkerchief in his coat pocket, and a pair of stockings on his feet, which Clark identified—the house is in the parish St. George's-in-the-East—I found 3*s*. 6*d*. on him.

(*Property produced and sworn to.*)

GUILTY. Aged 20.—Confined Six Months.

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906. MICHAEL ROACH was indicted for stealing, on the 12th of February, at St. James, Clerkenwell, 2 coats, value 3*l*., and 12 pairs of trowsers, value 4*l*, the goods of Edward Willis, in his dwelling house: and that he had been before convicted of felony.

EDWARD WILLIS. I keep a sale-shop on Clerkenwell-green, in the parish of St. James, Clerkenwell. On the 12th of February, between nine and ten o'clock in the morning, this coat and trowsers were in my shop—my wife gave me information that a man had gone out with some goods—I went out with Chipperfield, down Back-hill—we both went, and took the prisoner at the bottom of the hill, with the clothes on his shoulder—they are well worth 7*l*.—I brought him back, and went for a policeman—the prisoner was a stranger to me.

JOHN CHIPPERFIELD. I am a neighbour of the prosecutor's. I saw the prisoner come from the shop with the clothes across his shoulder—I ran out with the prosecutor, and pursued him—I took him myself with the property on him, about one hundred yards from the shop.

Prisoner's Defence. I was coming down Clerkenwell-green, a man asked me to carry the clothes, he said he would give me some money, I thought it a good opportunity to get money as I wanted some—he walked by my side with them, and this man came and caught me.

WILLIAM GREEN. I am a policeman. I produce a certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—I was a witness against him—he is the same person—he was sentenced to transportation.

Prisoner. I was guilty of that, but that is no reason why I should be guilty of this.

GUILTY. Aged 17.—Transported for Fifteen Years.

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907. ELLEN PRENDERGAST was indicted for stealing, on the 5th of March, 1 pair of shoes, value 3*s*., the goods of Henry Yelf.

HENRY YELF. I am a boot and shoe-maker, and live in Goswell-street. Yesterday morning, about half-past nine o'clock, a neighbour gave me information—I ran out immediately, and overtook the prisoner, with these shoes under her shawl, and which had been taken out of my shop—I had seen them there shortly before—I called, "Stop thief," and she began to run.

Prisoner. *Q.* Was not I close to your shop when you came up to me? *A.* You were about one hundred and fifty yards off, in the middle of Old-street, across the road.

ELIZA ANN GANDY. I am single. I was passing the prosecutor's shop, and saw the prisoner looking at the boots—when I came up she looked at me, took the shoes, put them under her shawl, and went off—I went and told the prosecutor.

(The prisoner pleaded poverty.)

GUILTY.*—Confined Three Months.

Before Mr. Recorder.

908. WILLIAM GALE was indicted for unlawfully inciting and endeavouring to persuade Charles Henry Thompson, to personate one Henry Neal, in order to endeavour to transfer 30*l.* 3 per cent. consols, part of 100*l.* standing in the name of the said Henry Neal; to which he pleaded GUILTY. Aged 49.—Confined Six Months in Giltspur-street Compter.

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909. LEWIN CASPAR was indicted, for that one Henry Moss was convicted of stealing, on the 25th March, 1839, 102lbs. weight of gold dust, value 5000*l.*; 2 wooden boxes, value 2*s.*; and 2 tin boxes, value 2*s.*; the goods of James Hartley and others; and that the said Lewin Caspar feloniously did incite, &c. the said Henry Moss, the said felony to do and commit.

MESSRS. CLARKSON, BODKIN, and DOANE *conducted the Prosecution.*

WILLIAM CARNE. I am in partnership with my brother Edward Clifton Carne, as merchants at Falmouth; we are agents to the Brazilian Company. On the 18th of March last year, the *Sea Gull* packet arrived at Falmouth from the Brazils—two boxes of gold dust were consigned to us by that packet—I never saw the contents—I saw the boxes, they were marked B. C. 18, B. C. 19—they were seventeen ore ighteen inches square, and made of wood, fastened together with nails—there was no cord round them—they were sealed with red wax—I observed that they were nailed, which is not a usual thing with the Brazil boxes—they were always screwed previous to that—those two boxes were shipped on board the *City of Limerick* steamer, for London, by my directions—(*looking at the paper marked No.* 1)—this is the bill of lading, referring to them—they were consigned to the Brazilian Company, at the Bank of England—Messrs. Hartley and Co. are the agents for the steam packet company that the *City of Limerick* belongs to—we transmitted in the usual course of business a copy of the ship's manifest of the *City of Limerick* to Messrs. Hartley and Co.—this is it (*looking at No.* 2)—I forwarded it by post on the 23rd of March—it would arrive in London on Monday morning, the 25th—the postage from Falmouth was 1*s.* at that time—it is addressed to James Hartley and Co., John-street, Crutchedfrairs, and bears the London post-mark of 25th March—(*The following extract was read from the manifest.*—"*Consignees, Brazilian Company—where for—Bank of England, B. C.* 18, 19—*Goods; two boxes of gold dust, value* 4640*l.*; *freight* 6*l.* 3*s.* 9*d.*")—the effect of that would be, to transmit these boxes to the Bank of England on account of the Brazilian Company—this letter (No. 3) is not my handwriting, nor the handwriting of any person in our firm—it was not written by our authority—it is altogether a forgery—this letter (No. 4) is also a forgery in all its parts—this (No. 6)—is a genuine letter, written by a clerk in our office, and transmitted to London on the day it bears date.

Cross-examined by MR. JONES. *Q.* Is your clerk here? *A.* No; his name is Hugoe—I think he invariably writes these letters—I received the boxes from the commander of the *Sea Gull*—on his bringing them to our counting-house I put them in a place of security at my own private house—I did not leave it to Hugoe to transmit them to London—Jordan was the person who took them on board the steamer—I did not go with him—I had not had any communication with the prisoner previous to this transaction—I had seen him occasionally at the office in London—I had not sufficient communication with him to enable me to judge whether he was a person well skilled in mercantile affairs—I had seen very little of him. *Q.* Who usually signs the letters you write to Messrs. Hartley? *A.*

When the manifest has been sent, the signature has been, "for W. and E. C. Carne and Co.—GEORGE HUGOE." Sometimes one partner writes letters and sometimes another; but the manifests are often made up at a very late hour at night, and and we very rarely sign them—I never put my name to them myself.

MR. CLARKSON. *Q.* Are the letters you pronounce forgeries, of the hand-writing of Hugoe or any clerk, or any partner.? *A.* Nothing like it—not any one of them.

ROBERT JORDAN. I am clerk to Messrs. Carne of Falmouth—on the 22nd of March I shipped on board the *Limerick* two boxes, which came by the *Sea Gull*—marked, "B C" 18; "B C" 19.

Cross-examined. *Q.* To whom did you deliver them? *A.* To Capt. Moffett.

JOHN MOFFETT. I am captain of the *City of Limerick*—I was on board when she came from Falmouth on the 22nd of March—I remember receiving on board from Messrs. Carne, two boxes, brought by Jordan—they were kept in the money room, under the cabin—the *Limerick* arrived in London on Sunday, the 24th, between three and four o'clock in the afternoon—the boxes were landed on Monday morning, about ten o'clock—they were the boxes referred to in the bill of lading which I brought up with me in the ship's box—this is it—(*looking at No.* 1)—I took the boxes on shore myself at the Iron Gate wharf, and put them into Messrs. Hartley and Co.'s office, on the wharf, as near as I can calculate about ten o'clock—the wharf is close to the Tower—between the Tower and St. Katherine's dock—I then went to the counting-house of Hartley and Co. in John-street, and saw the prisoner attending there as Mr. Hartley's clerk—I told him I had landed the boxes of specie at the wharf—he said he would go down and attend to it himself—the boxes were in the same state when I took them there as when I received them—they were marked "B C 18 and 19."

Cross-examined. *Q.* What time did you arrive in the river? *A.* Between three and four o'clock, as near as I can calculate, on the Sunday—I knew Francis Allen, a clerk in Messrs. Hartley's office—he came on board our vessel on the Sunday, about ten or twenty minutes after we arrived—no other person came on board from Messrs. Hartley's office—he did not come to me with a message from Mr. Hartley—he had no business on board as clerk to Messrs. Hartley—he could have none on Sunday—he merely came on board to see me, I suppose—he frequently came on board ship on our arrival—I knew him very well—I did not know him better than any of Messrs. Hartley's clerks—I was on a friendly footing with most of them—the other clerks were in the habit of frequently coming on board when the ship arrived—he did not make any inquiry as to what I had on board—to the best of my knowledge I did not tell him—I might have said I had specie on board, but I think not—he came into the cabin to me—the boxes were in the room under the cabin—I never mentioned any thing to him about the specie, to the best of my knowledge—I might have said I had specie on board, but I cannot charge my memory—he might have remained down in the cabin twenty minutes—I was taking refreshment—he came down, and might have stopped twenty minutes, bid me good day, and went away—I did not see him after he went on deck—he was the only person connected with Messrs. Hartley's establishment who came on board on

Sunday—I did not tell him I was going on shore with the specie in the morning—I had no conversation with him respecting the cargo, of any description—I might have said I should be coming on shore in the morning, and might perhaps have said I should be at the wharf in the morning, but I cannot charge my memory.

Q. Do you believe you told him you were going to take the specie on shore in the morning? *A.* No—I really believe, to the best of my knowledge, I never mentioned to him, in any way, about specie being on board—I believe I did not mention any thing about the boxes—I cannot swear it—the first time I saw the prisoner on the subject, was on Monday morning at the office in Crutched-friars—I have not seen Allen lately—I believe the last time I saw him was the latter part of April—it was the second voyage after the robbery—I saw him in the office at John-street, and have never seen him since—I have heard that he left Mr. Hartley's employment very suddenly.

Q. Do not you know that he left the employment immediately on Moss being in custody? *A.* I was not in London then—I went to Dublin—I believe Moss had not been taken before I went to Dublin—I do not know that Allen went to America immediately after leaving Mr. Hartley's service—I know nothing about him.

MR. BODKIN. *Q.* What time did he go on shore after coming to see you? *A.* He left me between four and five o'clock—about four o'clock—I did not see him on board any more that day—I found the boxes perfectly safe next morning—he had no opportunity of getting to the ship's papers to know what the cargo was—the boxes were kept in a strong room under the cabin-floor, which was locked, and I found it locked.

JOHN MARTIN. I am a lighterman. I remember *The City of Limerick* steamer coming in on the 24th of March, and on the next day I took the ship's box containing the papers, to the Dublin Steam-wharf, Iron-gate—I took it there about seven o'clock in the morning, or a little after, and left it there.

Cross-examined. *Q.* Do you recollect who you saw there? *A.* The foreman.

JOHN VINCE. I was a labourer at Iron-gate-wharf, in March last. On the 25th of March I remember seeing the ship's box of *The City of Limerick* steamer, and took it to Mr. Hartley's office in John-street, about eight o'clock in the morning, and put it on a wash-hand-stand there.

Cross-examined. *Q.* Did you receive it from Martin? *A.* No—Mr. Kingston had the care of it.

HENRY MOSS. I am of the Jewish persuasion. I know the prisoner very well indeed—I worked for his father—I have known the prisoner I think about seventeen or eighteen years—I was foreman to his father, and left him on being married—I was a watch-maker by trade, and after I was married, the prisoner for a short time came to me to learn the watch-making business of me—for about six months before the 25th of March last, I was in the habit of seeing him often—I did not exactly know what service he was in—I knew he had a certain engagement connected with the Steam-company—I remember going to Ellis Caspar's house in Finsbury-pavement, about the October previous to the 25th of March last—I was invited by Mr. Caspar to call there—we went to the synagogue together—while there the prisoner came in, and we all three left the synagogue together—Ellis Caspar asked me in the prisoner's presence, to come and see

him, saying that he wanted me—I said I should call at some opportunity—at that time I was living at No. 12, New-street, Mile-end—Ellis Caspar knew where I lived, and on the Sunday following I found him at my house when I got there—the prisoner was not with him—he made a communication to me, in consequence of which I afterwards met him at Williams's coffee-house, in St. Martin's-le-Grand—we ultimately went to Charing-cross together to a coffee-room there—the prisoner came there—there were two or three strangers in the room—the prisoner said he wanted to speak to me, but not in the presence of strangers—we walked out together into St. James's Park—it was then dark—Ellis Caspar was with us, and he said to the prisoner "Lewin, I have brought Moss; I have not told him any thing what you wanted with him, now tell him the business"—the prisoner said he wanted me to do him a favour, that was to call at his office, and bring a letter which his father would give me, and he would give me a box, which I was to take away and give it to his father—I asked him what the box was to contain—he said he did not know, it was to oblige a friend of his in the country—he said probably stones, but it would make no difference, I should be satisfied for the trouble and loss of time I might sustain—I made some objection, and he said it was such business a ticket porter might do, only he did not want his father to be seen in the business—he told me there could be no blame, if any, all the blame he would take on himself—the prisoner told me I was to meet his father at a coffee-house opposite the Monument the following morning—he said it in his father's presence, so that he could hear it—I was to go there about ten o'clock—I went, and met Ellis Caspar—he said when I met him that he would go and see Lewin—he left me to go and see for him—he returned in a very few minutes, and brought the prisoner with him—Ellis Caspar had a paper in his hand—the prisoner said the ship he expected the box to come by to him had not yet arrived, and he desired me, as I had lost so much time, to go home and call again in the afternoon—I went again in the afternoon to the same place opposite the Monument—I saw Ellis Caspar first, and he went and fetched the prisoner, who said the ship had arrived, but two of their ships had come in collision, and there was a great deal of damage done to them, and the ship could not be unloaded, the box which was for him was at the bottom of the ship, and could not be unloaded till next morning—we met next morning at the same place—the prisoner said he thought his friend had made a fool of him, for the box his friend had sent was too heavy for any person to carry—I asked him if it could not be fetched in a coach—he said, "No," he did not wish it to be fetched in that way, as he was afraid the coachman might know his father, and he did not wish his father to be known in the business—he gave me half-a-sovereign on that occasion, and before we separated he asked me where I could be found when he wanted me—he and his father walked a little way, then turned to me, and said they should not want me then, and asked me where I was to be found—I said I was always to be found at my employer's—I was then in the service of Mr. Joshua Hyams, a watchmaker, whose service I have been in ten years—I am not now in his house, but I work for him—the prisoner objected to send there for me, and asked, if I was not at home, whether I should be found if he directed a note for me, and he told me he should direct a note, not in his own name—we then parted—we afterwards met in Finsbury-square, very shortly after, a few days, perhaps a day or two after—the prisoner came to that meeting, and Ellis Caspar too—we met in the

square—I do not precisely recollect what passed, but I recollect it was no on the business of taking away the box—it was some other business—w had several meetings of no importance—at one time of meeting the pri soner asked me what kind of hand I wrote—that was at least four month before the 25th of March—I wrote my name and address on a piece of pape that the prisoner had in his pocket, and handed it to him—he said thi would do admirably, and asked me if I would write for him two forms o letters that he would give me—I was to copy two forms, and give them t him—he lent me a letter, and said that hand-writing I was to imitate a nearly as possible—he lent me the letter for that purpose—I recollect th contents of that letter perfectly—I did not return the letter to him imme diately I had done what he requested—I kept it by me till the day befor the 25th of March, when the prisoner came to my house, I then gave it to him—this is the letter—(*looking at No.* 6)—I mentioned my recollec tion of the contents of it before the Magistrate, before the letter was shown to me—I had a recollection of the contents of the letter, before it was shown to me before the Magistrate—after that letter was given to me, two forms were given to me by the prisoner—I cannot exactly recollect when, but it was a considerable time before the transaction took place, some months— I copied them, and returned them to the prisoner, with the forms—I made two copies, because the first he said the ink was too pale, and the paper would not do—he destroyed them in my presence—there were spaces left to be filled up—I wrote a second copy for him—these two letters (*Nos.* 3 *and* 4) are two of them—I wrote those two forms, but the date was not there when I wrote them, and several other words have been inserted, where I left blanks—they now read as perfect letters—they were mere skele tons at first—the date was not in, nor the words "William Marsh, Esq., agent to the Brazilian Mining Co., or order, freight and charges paid, two boxes, B. C. 18 and 19"—the initials and subscription—the date was not in the second letter, (No. 4) nor "William Marsh, Esq., or order, Secretary to the Brazilian Mining Company"—that is not my writing, nor the word "Limerick"—I wrote "City of"—I rather think that is my writing—no it is not—"City of Limerick" is not my writing—"on board" is my writing—"W. and E. C. Carne" is not mine, nor "boxes shipped by us marked B. C. 18 and 19"—"Mr. Bristow, please deliver above, Messrs. Carne have advised me about them.—L. CASPAR," is not my writing —there is no address to this letter—when I gave it to him it was directed to L. Caspar—here is part of the "er" on it now, where it has been torn—I directed it to Lewin Caspar—I should think it was more than a month before Christmas that I did this—(*looking at No.* 3)—this is a letter directed "Hartley and Co., 16, John-street, Crutched Friars, London"— that is my writing—I wrote that according to the form—I directed the other (*No.* 4) to Lewin Caspar himself, by his own desire.

Q. After this did you see any thing of Lewin or Ellis Caspar again, before the 24th of March? *A.* Yes—I only saw Lewin—I did not see him more than twice I should think between that period and the 24th of March—on the 24th of March I met Ellis and Lewin Caspar in Turner-street, Commercial-road—they were coming to my house—Lewin desired me to knock at the door, as he did not wish my servant to see him, and he stood on one side while the servant opened it—that was where *I lived* in New-street—he went there with me—I knocked at the door, and let them both in—Lewin then said he should want me to-morrow—(this was

Sunday, the 24th of March)—I told him I had business I was obliged to transact that morning, and did not think it would be convenient for me to come—Ellis Caspar said it would be a very good excuse to me to be out, as I told him I had out-door business to do, and he said the business would not occupy many minutes—I agreed to meet them I think in Mark-lane—I was to meet both I supposed—I went to Mark-lane, about ten o'clock next morning, and met Ellis and Lewin Caspar together, I think in Fenchurch-street—as I was going along, Lewin Caspar left his father, and Ellis Caspar came up to me, and said something to me, and we went together into a house in Mark-lane I think—he gave me a letter there, and a blue bag at the same time—the letter was folded at that time, and the address was torn off as it is now—I went the same day with that letter in a *cab*, to Mr. Hartley's office, in John-street, and delivered it to the prisoner there—this receipt, which is written across the letter, is my hand-writing—I wrote that on it at the wharf, when I went there for the boxes, after I had been in the City about my own business—I was asked to write a receipt on the letter—I had to deliver an order for my employer for twelve lever watches, and I received 50*l.* on account—this is the cheque I received that morning—(*looking at No.* 9.)—I signed my name across it as an acknowledgment of it—when I received the letter from Ellis Caspar he told me what to do with it—I took it to Mr. Hartley's office in John-street, in consequence of what he told me, and inquired for Mr. Hartley—Lewin Caspar was sent out to me—I was in the *cab* then—I handed him the letter—he went into the office, leaving me in the *cab*—he came out again with the letter I had given him, and another one which he compared together—he put his hand inside the *cab* with the two letters, one in each hand, and examined them.

Jury. *Q.* How long was he before he came out? *A.* Not above a minute or two.

Mr. Clarkson. *Q.* Did he say any thing on comparing the two letters? *A.* He said there was a mistake, and asked me to step out into his office, and he would correct it—I got out and went through the front office into the back office on the left hand side—there was nobody there besides me and him—I observed clerks in the outer office which I passed through—when we got into the inner-room, the prisoner made some alteration, in one of the letters—I cannot say which, nor what the alteration was—the words at the bottom of this letter, "Mr. Bristow, please deliver above. Messrs. Carne have advised me about them.—L. Caspar," was written by the prisoner while I was in the room—this is the letter, part of which I had previously written at his request—he then gave me the letter to go to the wharf—he wrote the direction of the wharf I think on another part of the letter—here it is on the back, "Inquire for Mr. Bristow, Dublin Steam Wharf, Irongate"—he told me to go to the wharf, and get these things, and he should be there as soon as me—he told me I should have to give an acknowledgment on the letter, and told me not to write my own name, and told me some name that I was to write, but which I forgot in the interval while I had been about my own business—it was in Bread-street that I was to deliver my master's goods—I went there, and from there to the wharf—I got into another *cab* to go there—I discharged the first *cab* somewhere by the Globe Insurance Office—I cannot precisely recollect where I took the other, but it was close on the same spot—I went to the wharf, and inquired for Mr. Hartley—I think one of the porters came to me, or somebody about the office—I afterwards saw Mr. Bristow.

Q. Why did you inquire for Mr. Hartley? *A.* I thought probably he might be at that place, though not at the other, as the clerk who first came out at John-street, said, "Mr. Hartley is not here, but the agent is"—I was in the *cab* when Mr. Bristow came out to me—I gave him the order the prisoner had given me—Mr. Bristow desired me to come into the office—I went in and saw two boxes there—Mr. Bristow said, "These are the boxes, will you take them with you?"—the porter placed them in the *cab* I came by, by Mr. Bristow's desire, and I gave him 1*s.*—I then wrote this receipt on the letter, and left the letter with Mr. Bristow—I put one of the boxes into the blue bag, which Ellis Caspar had given me—it was not large enough to hold both—I was desired to meet Ellis Caspar in Wood-street—I went there in the *cab*, but he was not there when I got there—I went to the Crown Keys public-house, Wood-street—the boxes were taken out of the *cab* by one of the porters there, without being directed to do so, and put on the counter, supposing I was going by one of the coaches—not finding Ellis Caspar there, I wanted to get a cord to tie the boxes together to carry them, but could not get one—I got another *cab*, put them in, and drove to my own home near the London Hospital with them—I drove to the London Hospital, Mile End-road, near the corner of Turner-street—the man by mistake drove me past the turning at which I intended to get out, which was the corner of Turner-street, and took me to the next street, which is at the corner of the hospital—I then took out one of the boxes, and went home with it to No. 12, New-street, and left the other one in the *cab*—I put it in my bed-room—I came out with intent to fetch the other, and met Ellis Caspar in the street—I told what I had done with one box, and where the other was—in consequence of what he said to me, I got into the *cab* again, and was driven to the Commercial-road, merely to delay the time—that was in a direction from my house—it was to avoid my own house—the box was still in the *cab* then—I ultimately took the second box to my house—I had at that time a servant named Jane Bradley—I got out of the *cab* at the end of Commercial-road, discharged the man, and returned by the omnibus—I got home about eight or half-past eight o'clock—I had tea, and went to the Earl St. Vincent public-house, which is in the neighbourhood—Jane Bradley fetched me from there—on going home I found Ellis Caspar waiting in the front parlour for me—I had a conversation with Ellis Caspar about the boxes, and he then told me what they contained—the servant did not sleep at the house—she went home after some time—it was very late before Ellis Caspar went—I sent the girl home some hours before he went away, rather before the usual time, by Ellis Caspar's desire—I desired my wife to send her away—there was a fire in my back parlour—I went up into my bed-room with Ellis Caspar, and showed him the boxes—they were taken down stairs to the back parlour—there were seals on all four sides of each of the boxes—Ellis Caspar put the lid of one box on the fire—I lent him a chisel to get the cover off, that was the wooden cover, they were secured by nails merely as a packing-case—after that box was opened there was a tin box enclosed—there was a quantity of hay between the wood and the tin.

Q. What was the box broken for at first? *A.* It was by desire of Ellis Caspar to divide the contents into smaller portions—the tin box was considerably smaller than the wooden one—upon finding that, the contents were not divided—there seemed then to be no necessity for it—the other box was opened in the same way—the outside cases of both were burnt, every mor-

eel, and the hay Ellis Caspar took away in his handkerchief—he went away before the boxes were quite burnt, and after he was gone I took the tin boxes up into my bed-room again—as near as I can recollect, they were about as large as three of those octavo books, (*pointing to them*) and about six or eight inches long—I opened one of the tin boxes—it contained lumps of apparently ore of various colours—they had no appearance of gold—I had never seen gold in that state before—the sizes varied very much, some were larger than others—the largest was not larger than a child's fist, or a moderate sized orange—I placed the boxes in my bed-room that night, put them in brown paper, and tied them round with packthread, to make them appear as parcels—next morning I put them into separate trunks, one into a black leather trunk of my own, and the other into a wooden trunk of my daughter's which had no lock on it—I corded it—the following morning I sent my wife to hire apartments—that was in consequence of what passed between me and Ellis Caspar.

Q. Well, where were the tin boxes with the ore in them afterwards taken to? *A.* To Mansel-street, by my directions, and from thence by my sister—they were afterwards taken, I believe, to Petticoat-lane, and from thence the ore was brought to me at Oxendon-street, where I was then concealed—I had not the boxes at Oxendon-street—the ore was taken out of the boxes before it was brought to me—the last time I saw the tin boxes was at my place in Mansel-street—it was to Davis's house in Oxendon-street that I went.

Q. What became of you after this? *A.* I went to Brentford for two days, and afterwards to Peckham, to Fishwick's—I never saw the prisoner after that—I remained at Fishwick's a fortnight, and then surrendered to the officer—I supplied myself with the lodging at Fishwick's—I saw nothing of the prisoner at Davis's house—I did not take the ore to Davis's—it was brought to me out of the boxes—I desired Davis to go for it to my sister's, in Petticoat-lane—I told him they were there, and he said he should fetch them—I delivered up some money to the officers when I surrendered—I received that money from Davis—it was notes—I think it was 140*l.*

COURT.—*Q.* Do you know of your own knowledge what became of the ore? *A.* Only what I was informed of—I never saw it after it was taken from Oxendon-street—I did not receive the 140*l.* till nearly a fortnight after—it was given to me by Davis in the coach as I was coming here to surrender myself—I do not know what has become of Davis—I saw him once at the office.

JURY.—*Q.* Did Davis know you were coming to surrender? *A.* Yes, when he gave me the 140*l.*—he came with me—I came here for that purpose—I have been in that dock, and was afterwards discharged—I do not exactly know what may be termed a discharge—it was last Monday—I was discharged on the same day.

Mr. CLARKSON.—*Q.* Do you know Fiestel's coffee-house, in Tower-street? *A.* Yes—I was there with the prisoner, it might be a month before this transaction—I cannot state exactly—I left a handkerchief there—(*looking at a handkerchief produced by Roe*)—this is the one.

Mr. JONES *to* Mr. CARNE.—*Q.* Have you known it happen that there have been mistakes in the manifests, the bills of lading, and letters written at your house? *A.* I never knew such an instance—I have no recollection of letters having been written to correct errors which have been made.

Q. Was your receipt of these boxes from the Captain of the *Sea Gull*

the first intimation you had of it? *A.* We received letters the day before with the bill of lading.

HENRY Moss *cross-examined.* *Q.* Had you worked for the prisoner's father in his house? *A.* Yes—I did not board there—I had ceased to work for him for some time before this subject was mentioned to me—I had done nothing for him for many years—when I used to meet any of the family we recognised each other—we were very seldom in the habit of visiting each other.

Q. For how long before the subject was mentioned had you visited at Caspar's house? *A.* I cannot say—I sometimes called in at his shop, perhaps it might be a year before, I cannot exactly remember—I know at one time Mr. Caspar asked me to do a job for him, when I met him by accident.

Q. While you were in his service did you ever have to write? *A.* No, I had no occasion to write—I never had to make out invoices, or enter in any books, nothing of the kind.

Q. Do you mean to swear up to the time you mention, Lewin Caspar did not know what sort of hand you wrote? *A.* I do not think he possibly could have known—he might have seen me writing at his father's—I might have made some little marks—I cannot tell what he knew, I only know he asked me to show him what sort of hand I wrote—I am perfectly persuaded he could not know what sort of hand I wrote—he was very young when I was in his father's house, and might forget what hand I wrote, if I did write there—I will swear that I do not know he knew what hand I wrote—I might occasionally have sent in accounts to Ellis Caspar in my own hand-writing—I have no recollection of having written a letter to him since I left him, but I will not swear it.

Q. How many different statements have you made as to the part you took in this transaction? *A.* I never made but one myself—the statement made before was made for me, and not by me—the first statement, which was false, was suggested to me by Davis and Mrs. Abrahams, when they visited me at Peckham—that statement was taken down in writing—I wrote part of it myself, and gave it to Davis—I had some conversation with Davis while I was writing it—Davis dictated to me what I should write—Lewin Caspar's name must have been mentioned in the course of that conversation.

MR. CLARKSON. *Q.* Did you write what Davis dictated? *A.* Yes.

COURT. *Q.* Had you any conversation which was not reduced to writing? *A.* I do not know what the conversation was precisely—I only know that by his dictation I wrote down what I did—I have no hesitation in saying Lewin Caspar's name must have been mentioned.

MR. JONES. *Q.* You had conversations with Davis on the whole subject? *A.* Yes—I have no doubt the prisoner's name was mentioned in those conversations—I have no hesitation in swearing it—it is impossible to swear exactly, but I believe it was—I will swear, in conversation with Davis, I did mention the prisoner, at that conversation when I was writing my statement—I was never asked that question before to-day—I gave that statement to Davis, or Mrs. Abrahams—they were both together—Davis is my wife's father-in-law—he married her mother—I do not like to own him myself, he is not quite so respectable as I could wish—he keeps a good many b——y houses—I never lived in any of them—I have been in one of them—that was in Coventry-court—I had never been there before—I have no doubt

at was a house of that sort—I went from Coventry-court to Oxendon-street, house I had never been in before—I went to Coventry-court on Thursday orning, and left there the following Tuesday morning—I have not seen avis since I saw him at the police-office—he has left the country—I believe was afraid of being taken in custody for this—I was in custody myself for veral months—I made a statement to Mr. De Mole when I surrendered yself, at the inn over the way—that was the first statement I made myself -that was besides the one I wrote at Davis's dictation—I made a third atement while I was in prison—the second statement I made, as near as can recollect, corresponded with the first, and was equally false—the third as truth, and nothing but the truth, that I know of—I believe it contained hat I have sworn to-day—it was in writing—I do not believe I read it over ter I wrote it—my sister, Mrs. Levy, and my wife, were also taken into astody on this charge—nobody else connected with me, I am quite certain.

Q. Now, when the prisoner told you he wanted you to do him a favour, id you ask him what it was about, to know if it was right or wrong? *A.* did.

Q. You would not have done what was wrong? *A.* If I was to assert hat I should not be believed, in my present situation—I thought I was ot doing wrong, but I scarcely expect that to be believed—when I went o the office I did not think I was going to steal 5000*l.* worth of gold-dust, r I certainly would not have done it.

Q. I suppose you have been very much surprised to find you committed felony by it? *A.* It was a surprise at first—I have not got over it now, shall never get over it, my feelings are too much hurt by it—I wore the ame coat I have on now when I went to the office—I was dressed very imilar to what I am now—my whiskers were in just the same state—I ever saw the prisoner after that day that I saw him at the office, except in ustody.

Q. What have you been doing with yourself since the last trial? *A.* Employed at my business—I live now at No. 126, Cornwall-road, Lam-eth—my business is carried on there—I work in the front room—it is a rivate house, with railings in front—I am a housekeeper there—I set up ousekeeping the quarter before last—I had no communication with Mr. Hartley's solicitor, till after I heard the result of the investigation which ook place after the last trial—I then read it in the newspaper—I have had a communication with Mr. Hartley's solicitor, since the last trial—I was desired to go to know if I should be wanted, and told them where to find me—(*looking at No.* 3)—I do not know in whose hand-writing this "W. Marsh, Esq." is—it is not mine—all my family have been liberated as well as myself—my object in giving my last statement was certainly to effect that purpose.

Q. Did you know Allen, a clerk at Messrs. Hartley's? *A.* No, I never saw him to my knowledge—I never had any acquaintance with any body of that name—I have no recollection of any such person living in my neighbourhood—I will swear I have no acquaintance of that name—I do not know a person named Mitchell—I have heard the name—I never had any acquaintance of that name—the hay that was found in the boxes was taken away by Ellis Caspar in his pocket-handkerchief, and the wooden boxes were burnt—he did not appear to take great care of the hay.

Q. Why not suggest to him it would be better to burn it? *A.* The

blaze might have set the chimney on fire—I do not know that that reason was assigned, but it would have that effect—there was a good large pocket-handkerchief full—no means were attempted to burn it—it might have been burnt certainly.

MR. CLARKSON. *Q.* You have been asked whether you wrote the direction of No. 3, "William Marsh, Esq."—did you know there was such a person in existence? *A.* I never heard of such a name—I never heard of a person named Allen living near me—I had not the most distant idea that Mr. Hartley had a servant or clerk of that name—I did not know any of the clerks or servants except the prisoner—I read in the newspaper the decision of the judges on the last trial—I went to Mr. Hartley in consequence of his sending his porter—Mr. Hartley told me to call on Mr. De Mole, to see if he wanted me—he sent me to Mr. Humphreys, who said he would send me a subpœna when I was wanted—I have always been willing since the last trial to state what I knew of the transaction—I do not know whether Ellis Caspar took away all the hay which was in the boxes, some might have been left—I was never charged with any offence in my life until this circumstance—I conducted Mr. Hyam's whole business for more than ten years, and am in his service now—Davis is one of the persons indicted as Isaac Isaacs—he has run away.

Q. You have made a statement respecting the ore at his house in Oxenden-street, was that part of the statement you were prepared to make before Davis ran away? *A.* Certainly not—I was to have screened him—it was at his dictation I made the statement, to screen him, and when he found I made the statement before the magistrate which I did, he ran away.

Q. What time on Sunday, the 24th of March, was it that the two Caspars came to your house? *A.* I have no doubt it was between one and two o'clock—that was the usual time I used to go home to dinner, and I met them in the street—none of my family were ever brought to trial—I remember Ellis Caspar being in difficulties—I proved under his bankruptcy as a creditor—I have the bill now in my pocket—I dare say I had a dozen meetings with the Caspars before the proposition to copy these forms was made to me—there were several meetings at different times—the original proposition was about another parcel called stones.

COURT. *Q.* You say you thought you were not doing wrong when you went to the office, when did you first have reason to know you were doing wrong? *A.* The same evening Ellis Caspar came to my house, and told me the nature of the business I had been engaged in—he then told me there was gold in it—I knew it was something intended to be kept secret, but I had no knowledge of it being a robbery—I knew false papers were made out, and that I obtained the articles in a false name—it was given to me by the prisoner's direction—I knew I was lending myself to something not entirely correct, but supposing the prisoner to be a respectable young man, and knowing his father, I did not suppose a robbery was committed.

Q. When you were shifting *cabs*, and taking things in an omnibus, and by false letters getting goods by false names, did not you know you were lending yourself to a false transaction? *A.* I did not get the letters fillled up—I carried a letter which was originally written by myself, but I had not read it—it was folded, and I never opened it.

Q. He came to the *cab* with you, and compared the letters, said there

was something wrong, showed the paper to you, told you to assume a false name, and to go and get the goods? *A.* I was not aware of it being a theft, however strange the circumstance may appear—I mean to assert that—the prisoner told me I might depend on him, he would take all the blame if any body could blame him, as he was the principal in the concern, and I had nothing to fear—I thought it was something of smuggling, I admit, but further than that I did not think—I knew it was gold the same night, Ellis Caspar told me so.

JURY. *Q.* You knew it was valuable property before? *A.* I never was given to understand so.

Q. Why put it in your bed-room? *A.* Because I had no more convenient place—it was a very small place I lived in, and the back parlour used by my wife was very small—I had no motive in carrying it up stairs but putting it out of the way—I have not said it was for security.

COURT. *Q.* When you burnt the lid what did you think? *A.* Then I knew all about it, I had been told—I have not charged any persons who had no share with me in the transaction—my false statements were only to screen the guilty—that was Mrs. Abrahams and Davis—I have not falsely charged any one with the crime—I never made any but the present statement on oath.

HENRY MITCHELL. I am a messenger at Mr. Hartley's office in John-street. On the 25th of March I saw the witness John Vince with the *City of Limerick's* ship's box, containing the papers—I saw him lay it on the wash-hand-stand—I saw the prisoner that morning about eight o'clock—he just walked through the warehouse into his own office as I supposed, and went out again, saying he would be in in a short time—I received the ship's box while he was out—he came back and opened the box as it stood there, and took papers out—he generally came to the office about nine o'clock, but this morning he came about eight—it might be a few minutes sooner or later—I went for the letters that morning to a receiving house in the Minories, and got the letters, which I brought to the office and delivered to the clerk, William Blundell, who took an account of them, about twenty minutes or a quarter to ten o'clock—he remained in the office, and took an account of the letters—the prisoner was standing at his desk at the same time, and took part of the letters out of Blundell's hands—I then went to breakfast—both the prisoner and Blundell stretched out their hands at the same time to receive the letters, but I gave them to Blundell, and he opened them—they were tied in a string—he was commencing to take the account, and while he was doing so, the prisoner took part of them—I went to breakfast, leaving Blundell taking the account—I returned at near ten o'clock, and met the prisoner coming down stairs—he sent me down to the wharf with a letter to give to Mr. Bristow, the wharfinger, and told me to tell Mr. Bristow, or any of the clerks there, not to let any of the specie off the wharf till he himself came down—I went to the wharf, but did not see Mr. Bristow—I saw Feltham and the foreman of the wharf, and delivered the message—I then returned to the prisoner—I was sent down to the wharf again—I then saw Mr. Bristow at the wharf, and delivered the former message to him—I then returned to the prisoner, and found Moss—(*looking at him*)—with him in the prisoner's office, which was the back room—they did not remain many minutes after I came in—they both walked out of the back office through the warehouse, and went out—Moss got into a *cab*—the prisoner remained behind, shut the door, and went to his room.

Cross-examined. *Q.* Is it not a common thing to send you down to the

wharf with a message? *A.* Yes, every day—I am there for the purpose —I am not aware that he ever sent me with such a message before, not to let things go till he came—his orders were generally in writing, sometimes verbal—he has not sent me with such messages before to my knowledge—I will not swear he has not—he was there about eight o'clock that morning, a few minutes before or after—it was before I had any thing but the office open and the floor sprinkled to be swept—seven o'clock is the hour it opens—I will swear he was there before nine o'clock that morning—there is a time-piece in the office.

Q. What is the earliest hour you have known him at the office? *A.* I have seen him between seven and eight o'clock when a vessel has been sailing at six o'clock, but that was very seldom—I believe he has sometimes slept on board a vessel on such occasions, as I have taken notes to his mother's house on those occasions—I cannot say he slept on board—I have heard so—he had his breakfast at the office those mornings—he might have had his breakfast at the office on other mornings besides those on which vessels sailed; but put it altogether I do not suppose I have brought him half a dozen breakfasts since I have been there—I cannot say whether they were all shipping mornings—I have been nearly eight years in the employ —I should say the prisoner has been in the office between two and three years, but at the time he joined the concern I belonged to the west-end office—I should say we have both been in the same office about two years —I am not aware that he has breakfasted there with Mr. Hartley—he might—Mr. Hartley did sleep there sometimes—I have not seen the prisoner breakfast with him.

Q. Who else was at the office that morning at eight o'clock? *A.* The next clerk that came was Allen—he came about half-past eight, as near as I can say—and another came, I should say, at nine o'clock—I believe that was Mr. Blundell, but I had gone for the letters about a quarter before nine, as there was a clerk in the place—it was a grocer's shop where I went to for the letters—the people generally meet there to get their letters— Moss is the person who came to the office that morning—I persist in swearing that—I gave a description of the person on the last trial—I dare say I stated then that the man had sandy whiskers—I did—I said large bushy whiskers.

Q. Do you call Moss a person with large bushy sandy whiskers? *A.* Undoubtedly not at present — his whiskers are not in the same state as they were when he came to the office — I believe I described his whiskers as meeting close to the chin—to the best of my opinion they were false—they were never the natural growth of his face—they were sandy at that time, to the best of my opinion—I am not aware that I gave that description to Roe and Lea—when brought to Lambeth-street I described them as I have now—I do not call them sandy now—I am not aware that I gave a description of the man to Roe and Lea— I will not swear that I did—I did not, to my knowledge, swear on the last trial that I had given a description to one of the officers—to the best of my opinion, I did not—I am not aware that I gave that description to one of the officers, but I will not swear to any thing I am not conscious of—I did not, to my knowledge, give any such description either to Roe or Lea—I cannot answer in any other way—I cannot say what age the man who came to the office appeared to be—he seemed to me to be a middle-aged man, a man that had a halt in his walk—as he walked out of the warehouse he

appeared lame—he walked in that way—I might have said, he appeared to be a man about sixty years of age—I do not think I said sixty on the last trial—it is so long ago I might be wrong if I swore I did not—to the best of my opinion, I did not—I never, to my knowledge, described the man as appearing about sixty years of age—I only swear to the best of my opinion.

Q. Did he appear about sixty? *A.* He walked with his head down—it is hard to describe what age he might be—I took him to be in the middle age of life—I should say fifty was nearer the mark—when a man is sixty he is going down hill—I did not take notice whether Allen was in the office or not at the time the man came.

Q. How soon after the robbery did Allen leave Mr. Hartley's office? *A.* To the best of my opinion, he left on Whit-Monday, seven weeks after the robbery—I might have said on the last trial that he left a fortnight or three weeks after the robbery, but I have found out since if I did say so I have said wrong—I remember seeing Moss in custody at Lambeth-street—I do not know when Moss was first taken, but I know Allen was in Mr. Hartley's employ, and left about Whit-Monday—I should say Moss had been examined before that—Allen did live in Commercial-road, but I rather think, about the time of the robbery he lived in a street opposite the wharf, Burr-street or something—I cannot say when he moved there—I do not know what has become of him—I have not heard whether he is living or dead—I should say he left the office very suddenly—he was at business the Saturday before, and did not make his appearance on Monday—I have stated that he eloped—those were the words I made use of—I did not notice whether the man who came to the office had a velvet collar to his coat or not, at the time I saw Moss first he was leaning both his arms on the desk—I had only a side-glance at him—I have not described him as having a velvet collar, to my knowledge—the prisoner superintended the business when Mr. Hartley was out of town—as far as I have seen, he appeared very zealous and industrious—I described the man as between five feet eight and nine—I never described him as six feet high.

Mr. Doane. *Q.* On the mornings when the prisoner occasionally came before nine o'clock, it was when vessels were to sail early? *A.* Those mornings in particular—no vessel sailed early on the morning in question—there was no reason, that I know of, for his coming before nine o'clock.

Q. You are not sure whether Allen was in the office when Moss came; can you say whether you are sure that Moss was with Allen or with the prisoner? *A.* I swear the prisoner and Moss were both together, and Moss took the *cab*, and the prisoner waved his hand to him—I am positive Moss is the man.

William Blundell. On the 25th of March I was a clerk in Mr. Hartley's office—I was in the counting-house that morning, when the General Post letters were delivered—the prisoner was there—I received the letters a little before ten o'clock from Mitchell—I keep a book, in which I enter the account of postage—I have it with me now—I made an entry that morning in the book, and altered it after I made it—the first entry was one Falmouth, two Plymouth, and four Dublin letters, which, according to my reckoning, came to 7*s.* 10*d.*—the prisoner took part of the letters from me, opened them, and returned them to me, and when he returned them to me there were two Falmouth letters—the postage of a

letter from Falmouth, at that time, was 1*s.*—it was the custom of the postman to put the amount of the letters on the back of one of them, and he had done so that morning—there was 1*s.* difference between his amount and mine—that would be the difference of one Falmouth letter—I put down the amount of the letters in my book, after I received them from Lewin Caspar, and my account was 1*s.* more than the postman's—the postman's entry on the letters was 7*s.* 10*d.*—it is our custom to settle with the General postman once a week—when I paid him that week I paid him for one Falmouth letter—the letters were taken into the office that morning by Lewin Caspar—about eleven o'clock that morning I was called out to see somebody—I went out, and saw a *cab* and a man in it—(*looking at the witness Moss*)—that is the man—he asked for Mr. Hartley—I told him that Mr. Hartley was not in town, but that Mr. Caspar, his agent, would see him—I went in and called the prisoner—he went out to the cab, and they both came through the outer office, and went into the inner office—they remained there a few minutes—they both came out together, Caspar opening the door for Moss—but before they came out the prisoner came from the inner office to me, and asked me whether there were two boxes of gold dust marked "B. C. 18 and 19," consigned to the Brazilian Company—I told him there was—I looked into the book to examine before I told him—Moss went away in the *cab*—the prisoner went out of the office into the street with him—I saw the prisoner again at two o'clock that day, and he told me that a robbery had been committed—he said nothing else that I am aware of, nothing about the letters that I am aware of—I cannot say that the word "forgery" was mentioned.

Cross-examined. *Q.* It would be Caspar's duty to open all letters that came there in the absence of Mr. Hartley? *A.* Yes—I received the letters from Mitchell—I entered part of them in the book immediately—I had entered part of them when Caspar took some of them up—I entered them all before he took them away into the back office—it was not after his return from the back office that I discovered there was an extra letter, it was while he was standing at the desk—I was entering them when he took them—I had entered one Falmouth letter before he took them from me—I suppose he saw me do it—he was standing at the desk at the time, close to me—he knew it was my custom to enter letters in the book as soon as they came.

Q. When you received the letters back from Caspar, and saw two Falmouth letters instead of one, did you mention it to him? *A.* I told him there was 1*s.* difference in the postage—I did not make any observation about the difference in the letters—I did not tell him there was one Falmouth letter more than I had given to him—I did not think it was requisite—I immediately made the alteration—he did not say any thing particular when I told him there was 1*s.* difference in the letters—he had nothing to do with the payment of the postage, any more than to see that it was correct—I went to the office at nine o'clock that morning—several of the clerks were there when I got there—I believe Francis Allen was there—Mitchell had gone for the letters—I paid the postman, at the end of the week, 25*s.* 6*d.*, and 7*s.* 10*d.* for that morning.

Q. Now you say Moss is the person who came there; did he present the same appearance then that he does now? *A.* No, he had large black whiskers, not unusually large—they were large whiskers—they were so large that they attracted my particular attention—very different

om what he appears now—I did not observe what age he appeared to be xactly—I am not aware that I have ever said he was a man of fifty r sixty years of age—I do not remember that I said on the last trial, he as a man between fifty and sixty years of age—I might have said so, but cannot say, it is so long since—I think I heard Mitchell say he was bout sixty—I cannot say whether I swore that at the last trial or not—I elieve I did—the person stooped as he walked, I should say, from in- rmity or age—I think I said, last time, that he was from five to six feet igh, leaving plenty of room for guessing—I did not say he was about ve feet seven inches—Caspar was not at the office when I got there at ine o'clock—it was after nine o'clock when I first saw him that morning—I cannot say whether it was as late as half-past—I should say it was between ine and half-past nine o'clock—nine o'clock was my usual time for going o the office—I believe Caspar very often went earlier than that—it was neces- ary for business—I have seen nothing of Moss since the last trial, only bout here the last day or two—not at the office, or anywhere else—I am not ware of any mistakes in letters from correspondents at Falmouth with regard o goods consigned—mistakes have happened—goods have been entered on he manifest, and have not arrived, and letters have occasionally been written o correct the errors—I have known letters from Messrs. Carne correcting rrors made in previous communications—that has sometimes happened—I do not know that it has not frequently happened—I have not been in the abit of reading the letters—I have heard of such things in the office—I hink Allen was in the office when I got there that morning—I cannot say ositively—he remained in the office six or seven weeks I think afterwards —I do not exactly remember the time Moss was taken into custody—I do ot know that Allen went off very suddenly—I know it was talked of that e ran away, that he went away—I think Moss was taken about four or ive weeks afterwards—I do not remember whether it was about the same ime that Allen left—I believe it was—I do not know that Allen has run way to America—I do not know whether he is living or dead—I have not eard.

Q. Were the papers in the office open as much to Allen and the other lerks as they were to Caspar? *A.* No, not private letters—letters of any importance were not open to any one who liked to read them.

Q. But could not any other clerk in the office, if so disposed, read any of them? *A.* No, because they were always locked up, I believe—I dare say I could have read them if they were lying about—I cannot say where the keys were kept, unless Caspar kept them—I am not aware that they hung up in the office—I never knew of their being kept in the office—Allen was collecting clerk—he was occasionally in the habit of going on board steam-vessels, and to the wharf—there are two cupboards in the office, in which boxes of letters were kept—letters received in the morning from correspondents would be put in the cupboard—it was not locked—I believe any clerk in the office could have gone and looked at them—I have no doubt of it.

Q. Was it not matter of public talk and notoriety that Allen had run away? *A.* Not that I am aware of—it was talked of in the office that he had gone away, and had not been seen since, but not that he had run away —I am not aware that any inquiries have been made about him—I have never seen him since.

Mr. Clarkson. *Q.* Whose business was it to take care of letters and

superintend the business of the office in the absence of Mr. Hartley? *A.* Caspar's—it was his duty to take charge of letters, to read, and answer them—no other person in the office had any right to read private communications made to Mr. Hartley but the prisoner—I believe I was asked nearly all these questions about Allen on the former trial—there have been letters from Messrs. Carne correcting communications of the delivery of goods—Caspar would know that, and would know how the absence of goods might be accounted for—I did not get to the office till nine o'clock—whether Caspar was there before that, or what he had been doing between eight and nine o'clock, I do not know—at the time I spoke to Caspar about the postage, I had no idea that one of those letters was a forgery, nor that the post-mark had been forged, or that any fraud had been committed or contemplated—I supposed it was a mistake of my own, and altered it—Allen went away about six or seven weeks after this transaction—I do not know when Moss was taken.

JURY. *Q.* On the 25th, when the letters arrived, was it possible that any one besides the prisoner could have seen them previous to the arrival of Moss? *A.* If they were laid on the desk, and no one was in the office, any one could walk in and see them—they did not lay there that I know of.

Q. From the time you received the letters from Mitchell till you saw Moss there, was it possible for any one but the prisoner to see those letters? *A.* No.

COURT. *Q.* What time did you see Moss come? *A.* Nearly eleven o'clock, and the post arrived about a quarter before ten—the prisoner was present when Mitchell delivered the letters to me—I delivered over to the prisoner all the letters I received—several other clerks were in the office when Mitchell delivered the letters to me, but nobody handled them but I and the prisoner—he had taken some letters from me before I made the entry complete in the book.

THOMAS KINGSTON. I am foreman at Iron-gate-wharf. On the 25th of March, I remember a person coming there in a *cab*, about twelve o'clock—(*looking at Moss*)—that is the man—he asked me if the agent was in—I told him he was not in town, but the wharfinger was at home—he mentioned Mr. Bristow by name, and desired me to call him out—I called him out, and he came out to him, went to the *cab*, and they spoke together—Moss then came out of the *cab* into the counting-house with Mr. Bristow—he was there about two minutes, and came out—I brought out one box and another man another, by Mr. Bristow's desire—Mr. Bristow told me to put those boxes into the *cab*, which I did—they were marked "B. C. 18 and 19"—Moss gave me a shilling and drove away in the *cab* with the two boxes—I had seen the prisoner in the counting-house that morning, about an hour before Moss came.

Cross-examined. *Q.* Are you quite sure Moss is the man? *A.* I am, I have no doubt of it whatever—I never said I had a doubt—he had larger whiskers then, and he looks fatter now than he did then, in my opinion—his whiskers were a size larger than now, as large as mine—I call mine larger than his, middling sized—they were black, I am certain, quite black—I saw him next at Lambeth-street, about three weeks or a month afterwards, and I knew him at once—I knew Allen very well—I did not see him in the course of that day, to my recollection—he ran away from Mr. Hartley's—every body knew that—he ran away,

I believe, about the beginning of May—the first time I saw Moss at Lambeth-street was about April, I think—I cannot say whether it was about the same time as Allen ran away—it was not a great while.

EDWARD BRISTOW. I am chief clerk at Iron-gate-wharf. On the 25th of March last I remember seeing the prisoner at the wharf, between ten and eleven o'clock in the morning—I was in the counting-house—he brought a letter with him—(*looking at No.* 3)—this is it—he threw it on the desk, and said he had received it that morning from Messrs. Carne, to deliver two boxes, marked "B C 18 & 19," to a gentleman who would produce a letter from them—he said he had given an order at the foot of the letter for me to give them to him.

(*No.* 3, *read, addressed,*) "Messrs. James Hartley, and Co., 16, Crutched Friars, London." Falmouth post-mark, 23rd of March. London post-mark, 25th of March. "Falmouth, 23rd of March, 1839. 'Gents. We write to beg you will correct our error in this day's list, by delivering under-mentioned to the firm at foot instead of Bank. We will write to Mr. Haggard on the subject, and trusting to your attention, We are, gentlemen, your obedient servants, W. and E. C. CARNE.' Wm. Marsh, Esq., Agent to the Brazilian Mining Company, or order, freight, and charges paid, 2 boxes, marked 'B C No. 18 & 19." "To Messrs. James Hartley, and Co., 16, John-street, Crutched Friars, London."

EDWARD BRISTOW—(*continued*)—I was at that time copying the manifest of the *City of Limerick*—after he had shown me the letter, he told me to deliver them to the gentleman on the production of the order—I asked him how long he thought the gentleman would be before he came—he said he expected he would have been there before him—I wished him to stay and see them delivered—I was aware they contained large property, by the statement on the manifest, which made me wish him to stop—he said he would stay—he remained about half an hour—he then went away with other packages, which he had, to the Bank of England—the expected gentleman came, I should think, rather more than half-an-hour after the prisoner left—Kingston, the foreman, informed me of his arrival—I went out, found a *cab* there, and a person in it—it was Moss—I saw the letter in his hand, with the order of the prisoner at the foot—he showed it to me—this is it—(*looking at No.* 4)—I believe the order at the bottom to be in the hand-writing of the prisoner, and also this memorandum endorsed upon it—I have often seen him write.

No. 4, *read*, (the back of which was torn off)—Falmouth post-mark, "23rd March"—London post-mark, "25th March." "Falmouth, 23rd March, 1839. Messrs. Wm. Marsh, Esq., or order, Secy. to Brazn. Mining Co. Gentlemen, Confirming your favour of the 16th inst., we have this day shipped on board *City of Limerick* to your address as under, which will be delivered to you on steamer's arrival, per Messrs. Hartley's, the agents, 16, John-street, Crutched-friars. Assuring ourselves of your future commands, we are, Gents., your obt. servants, W. & E. C. CARNE. Two boxes shipped by us, marked 'B. C. 18 and 19.'

"Mr. Bristow, please to deliver above,—Messrs. Carne have advised me about them, L. CASPAR." *Endorsement on back*, "Enquire for Mr. Bristwo, Dublin steam-wharf, Irongate."

Q. Upon this being shown to you by Moss, did you do what the prisoner told you, deliver the boxes? *A.* Yes—I got a receipt for them

which Moss wrote across the letter—this is it, "Recd. the above, J. H. Dean, per Marsh, Esq."—he drove away with the boxes.

Cross-examined. Q. Was the prisoner, in the absence of Mr. Hartley, generally very much engaged in business? A. Yes—I do not consider that he had any time to throw away—I did not consider it extraordinary that he should go away after waiting half-an-hour—he had the whole business to attend to in Mr. Hartley's absence—I first heard there had been a robbery about two o'clock in the afternoon—the prisoner was not the first person to tell me—Kingston did—I saw the prisoner about three o'clock in the afternoon, he then told me of it—I was examined at Lambeth-street.

Q. From first to last did not the prisoner evince every anxiety to exert himself to the utmost to discover the perpetrators of the robbery? A. He certainly appeared very much excited about it—he expressed himself anxious that the perpetrators should be brought to justice—he never absented himself from the office to my knowledge—I have known him about four years—I never heard any thing but the highest character of him—he was always considered clever in business—I do not know that mistakes were occasionally made at the office—my duty is at the wharf—I have known some packages over, which were not in the manifest, and some packages in the manifest, not in the vessel.

Q. In different matters were there not mistakes occurring almost every day of some sort or other? A. There might be slight errors—I never heard of any serious ones—I was shown this letter (No. 4) by the prisoner, in Lea's presence, on the afternoon the robbery was committed—I believed the signature of Messrs. Carne to it, to be genuine—I have seen Messrs. Carne's signature occasionally, and believed it to be genuine.

Q. Have you known the prisoner very often at the wharf early of a morning? A. No, not very early—I have seen him there at eight o'clock when he had occasion to go on board a vessel that was going to sail, but not on other occasions—I never recollect it—I will undertake to say I never did see him unless a vessel was sailing—I have seen him at the office as early as eight o'clock.

Q. Is that the sort of direction the prisoner would write as an order to deliver goods? A. Yes, when he had occasion to do so—I should have delivered a package without the order under it, but not such valuable property—if I saw the letter, believing it to be signed by Messrs. Carne, I should have delivered it—believing it to be genuine, I should have delivered the goods—I knew Allen—I did not see him at the wharf that day, I am certain—he might be at the wharf once or twice a week—I remember his leaving suddenly—I do not know why he left, nor whether he is living or dead—I have never seen him since—I have never had any doubt about Moss being the person who came to the wharf—I did not hear Mitchell describe him—I remember bills being put up advertising the robbery—communications from Falmouth of consignments would be by post advising of them.

Q. Did such advice generally arrive the day before the goods? A. It depended on the passage the vessel had—this vessel left, I think, in time to be up on Sunday, but the letters could not be delivered until Monday—nobody in Mr. Hartley's establishment could know that the gold was coming—the writing of this letter, (No. 4,) is different to any writing I ever saw from Messrs. Carne's office, except the signature—it is very different to the prisoner's hand-writing—I should not consider any part of it like his, except the order and endorsement.

MR. BODKIN. *Q.* You remember the prisoner at the wharf at eight o'clock, when vessels have been starting—were any starting this morning? *A.* No—these boxes corresponded in every respect with the manifest.

WILLIAM DEBONNAIRE HAGGARD. I am chief clerk in the Bullion-office at the Bank of England. On the 25th of March I did not receive two boxes of gold dust—I expected two, from a letter I received from Falmouth for the Brazilian Company.

JAMES PEAT. I am accountant to the Brazilian Company. I went to the office of the Company on the 25th of March, about ten o'clock—no boxes of gold dust marked B C 18 and 19 arrived at the office—we expected such boxes—William March is our secretary—he came to the office about eleven o'clock—in consequence of a communication from him, I sent Carthew to the Dublin Steam-packet wharf—I was at the Bullion-office in the Bank about one o'clock, when the prisoner came there—I went to inquire if the boxes had arrived, and saw the prisoner there—I asked him what had become of our two boxes of gold dust, marked B C 18 and 19—he said, "They have been delivered at your house"—I said, "How is that, when they are consigned by the bill of lading to the Bank of England?"—he said, "We have this morning received a letter from Messrs. Carne, stating, that in consequence of an error in the manifest, they were not to be delivered at the Bank of England, but to the agent of the Brazilian Company"—I asked him the name of the agent—he said he could not recollect, but if I would go with him to the office, in Crutched-friars, he would tell me the name—I asked him if the name was March—he said, "That, I think, is the name"—I then left the Bank, and left him—I went to our office, and ascertained that the boxes were not delivered there—I then went to the office in Crutched-friars, and saw the prisoner in the outer office—I said, "These boxes have not been delivered at our office, where are they?"—he said, "If you will walk into the inner office, I will tell you what has become of them"—he produced two letters to me—(*looking at Nos.* 3 *and* 4)—these are them—No. 4 was exactly in the same state then as it is now, with the address torn off—I asked him, "What has become of the outside of this letter, the address?"—he said, "I don't know whether it was torn off when it was first delivered into my hands, or whether it was torn off since"—he did not tell me whether he knew who it had been addressed to—he asked me if I thought the signatures of Messrs. Carne were genuine—I told him I thought not—he said, "Are they not like Messrs. Carnes' writing?"—I said, "Certainly, I think they are like it, but I think they are not genuine; I think they are forged"—I asked him if the body of the letter was written in a similar hand to any body in Messrs. Carnes' house that he was in the habit of seeing—if it was similar to any writing he had seen coming from Messrs. Carnes' house—he said, certainly it was, he had seen such writing often—he did not tell me whose writing it was.

Cross-examined. *Q.* Did you ask him if the boxes had been delivered? *A.* He told me they had been delivered that morning to a gentlemanly-looking man, either representing himself as coming from William March, or William March himself, he could not tell which—he said he thought the letters genuine, and he had seen similar writing from Carnes' house—I am acquainted with Messrs. Carnes' writing—it is in some degree similar—I mean the signature, but, in my opinion, easily detected to be a forgery.

Q. Suppose a person received it in the hurry of business, do not you think he might be deceived by it? *A.* It is possible—(*looking at No.* 3)—

there is nothing particularly extraordinary in this letter—I should say, on looking at it, it is not what I consider exactly a mercantile letter—in the first place, it is addressed at foot "W. Marsh, Esq., agent to the Brazilian Mining Company, or order;" now Mr. March's name is spelt wrong, and he is not agent, but secretary to the company—(*looking at No.* 4)—this is decidedly much more unmercantile than the other, because it is addressed "Messrs. W. Marsh, Esqr."—the signature is somewhat similar to Messrs. Carnes'—it is a signature I would not act on.

Q. But a person reading it over once may very likely not be able to distinguish it from a genuine signature? *A.* It is possible, I cannot say it is probable I confess—I am not at all acquainted with the hand-writing of the prisoner—I should say the note at the bottom of No. 3, is a different hand-writing from the body, and the date also, "23rd of March, 1839" I should say was different—all the rest appears to be one hand-writing, except the note at the bottom, and the signature—I do not think the date is a similar hand-writing to the body, generally—I think it is a different hand-writing—I think the date of No. 4, and "Messrs. W. Marsh, Esq., Secretary to the Brazilian Mining Company, or order," is different to the body.

Q. In yourjudgment, could such an error as that be made by a person competent to conduct Mr. Hartley's business? *A.* Certainly not—nor any person in the habit of corresponding—"Messrs." is in the same line with the name, and appears in the same hand-writing as the rest of the address, and it appears to be squeezed into a place not large enough.

MR. CLARKSON. *Q.* Look at the words, "*City of Limerick,*" tell me whether that is the same hand-writing as the body? *A.* I think not—I think the "18 and 19" appear the same kind of figures as the date "1839."

Q. Can you perceive any difference in the writing and ink of the word "Messrs.," in the corner, and the name which follows? *A.* It appears to me it is all written with the same ink—the word "Messrs." is written rather larger than the rest of the name—it is the same as "W. Marsh, &c." in my opinion.

WILLIAM MARCH. I am secretary to the Brazilian Company. Mr. George Haythorn is one of the proprietors of that company—there are other proprietors besides him—on the 20th of March we had advice of the arrival of some gold dust from the Brazils, by a letter from Messrs. Carne, of Falmouth—it was advice of two boxes of gold dust, "18 and 19," weighing 102 lbs. 10oz. 11dwts., by the *Sea Gull*, they were forwarded by the *City of Limerick* steam-packet.

Q. When would it be known in London among persons conversant with shipping, that the *Sea Gull* had arrived? *A.* On the 20th, the day we received the advice—on the 25th of March I received further advice of their being shipped, by the *City of Limerick* steamer—a bill of lading was enclosed with the advice, which I thought I had here, but I find I have made a mistake, and brought the wrong one—I never authorised Moss, or any other person to go to Iron-gate-wharf, to receive those boxes—I had no idea of such a proceeding being taken.

"No. 1," being *read*, was the bill of lading of the *City of Limerick*, in which was "Two boxes of gold dust, marked B. C. 18 and 19," containing together 102lbs. 10oz. 11dwts. troy, consigned to the Brazilian Company at the Bank of England.

No. 2. was the exract from the manifest of the *City of Limerick*, (as in page 686.)

No. 6, (*read*)—"Messrs. Jas. Hartley and Co., 16, John-street, Crutched-friars. Falmouth, Oct. 8, 1838, Gentlemen,—We are in receipt of your note of the 6th instant, and in reply, we beg to say the turtle is for Mr. Haggard, at the Bullion-office, Bank of England—*The Duke of Cambridge* arrived at noon—all well. We are, gentlemen, your obedient servants, W. and E. C. CARNE. Per Geo. Hugoe. P.S. We wrote you last night, per box, informing you we received the chest of tea, which shall be returned.

"Mr. Bristow, please attend to this.—L. CASPAR."

WILLIAM MARCH *continued.* I never saw this letter (No. 4,) till after the robbery was effected—that is not written at all in a mercantile style, quite unbusiness-like.

Q. Would you, as a man of business, act on the receipt of that letter? *A.* Certainly not, not purporting to come from a respectable house like Carnes'—this letter (No. 3,) is not, in my judgment, a mercantile business-like letter—a person conversant with mercantile affairs would not act on such a letter, I should say—it is not quite so informal as the other, but my name is improperly spelt, and the firm is mentioned in the body of the letter, and at the bottom it says, "W. Marsh, Esq., agent"—Messrs. Carne are aware of the way to spell my name, and are constantly in the habit of writing to me, and they know I am not agent to the Company, but secretary.

Cross-examined. *Q.* You received the first intimation of the consignment of gold dust on the 20th of March? *A.* Yes—I did not make that communication public—it does not go beyond the directors of our own Company, and persons connected with the Company—I might mention it to them—I had no communication with the prisoner on the subject, nor with any body in Mr. Hartley's office.

Q. Although it would be known to shipping-people on the 20th, that the *Sea Gull* had arrived, would it be known to them what the cargo consisted of? *A.* It is very likely—it is often mentioned in the newspaper if there is specie on board.

Q. In your judgment, would any one conversant with mercantile matters, intending to commit a fraud, write such letters as these? *A.* It is difficult to say; a person well acquainted with business, I should say, hardly would—I did not know the prisoner before this.

(*The record of the conviction of Moss was here produced and read.*)

(*Adjourned.*)

Saturday, March 7th, 1840.

JAMES HARTLEY. I carry on the business of a wharfinger and proprietor of steam vessels, with others, under the firm of James Hartley and Co.; I am the prosecutor of this indictment. On the 25th of March I was in Dublin—I came to London on the night of the 28th—the prisoner was in my service, and had at the rate of 150*l.* a-year—in February, last year, he applied to me for an increase of salary, which I declined—on the 21st of March, last year, I had occasion to write to the prisoner—this is the letter I wrote to him (No. 7)—this letter of the 26th of March (No. 5) is in the prisoner's hand-writing—that letter was never sent—Allen was in my employ—he quitted my employ on the 13th of May last—Moss was taken into custody about the middle of April—I have not the most remote reason to believe that Allen was concerned in this transaction.

Cross-examined. Q. He was a clerk in your employ, the same as the prisoner, but in a subordinate situation? *A.* Yes—he had a salary as the rest—I had no notice whatever of his going away—the last I saw of him was on Saturday evening, when I sent him to the Bank with lodgments—I have not seen him since—I have heard from his brother that he went to Montreal, and is dead—I did not learn when he went—I could have his brother here in a few minutes—I had the highest opinion of the prisoner's integrity, or I would not have left my business in his hands—a good deal of specie came to the Bank, which he had to superintend the delivery of.

Q. There was at one time 90,000, at another 10,000 guineas in one parcel? *A.* I do not recollect that, but very large sums passed through his hands—Moss surrendered himself in April—Allen lodged in Burr-street, Lower East Smithfield, the latter part of the time he was with me—I do not know whether he lived in Commercial-road before that—I do not know whether the prisoner was in the habit of sleeping on board vessels at times—I have seen him at my office early on shipping mornings, between seven and eight o'clock—I think he might be there on other mornings sometimes as early as eight o'clock.

MR. CLARKSON. Q. Allen filled quite a subordinate situation to the prisoner? *A.* Yes—he had nothing to do with the letters or giving orders about bills of lading, or any thing, till they had gone through the prisoner's hands.

GEORGE CARTHEW. I am in the service of the Brazilian Company. On the 25th of March, last year, I was sent to Mr. Hartley's office, in John-street, and saw a clerk there—I believe the prisoner to be the person, but I cannot swear to him—I inquired if two boxes of gold dust had arrived by their vessel, from Falmouth, on the Brazilian Company's account—he answered, "Yes"—this was about eleven o'clock in the morning—Mr. Peat had sent me—I should think it was rather after eleven o'clock than before—I think I might be certain it was before twelve o'clock—I asked if two boxes had arrived marked "B. C.," and I think the numbers were "18 and 19"—I mentioned that to him—he said they had arrived—I then asked him if he could inform me what time they would arrive at the Bank of England—he said, "They are about arriving there at this time"—I believe there was a second person there—the porter, who waited in the office when the clerks were not there—it was not Kingston—I have seen him here to-day—I think it was Mitchell.

Cross-examined. Q. You were examined on the last trial? *A.* Yes—to the best of my knowledge, the prisoner is the person I saw—I do not swear he is the person.

Q. Will you swear that you believe he is the man? *A.* No.

COURT. Q. Do you understand the question? you have said you believed you saw the prisoner; do you mean you do not mean to represent your belief that he is the man? *A.* I believe he is the man, but I cannot swear it.

MR. JONES. Q. Do you mean to swear you believe he is the man? *A.* Yes, that is my belief—I cannot swear positively—I swear I believe he is the man—I remember being examined on the last trial upon this point.

Q. Did you not swear on that occasion that you did not see any one in Court that you saw on that occasion, looking at the prisoner? *A.* I had

not caught sight of him then—I did swear that, but it was before I had seen the prisoner—never having been in a Court before, I looked all round and did not see the prisoner—I said on the last trial that I would not undertake to swear to him by any means.

Q. Did you say a word on the last trial about asking the person you saw there when the boxes would be taken to the Bank of England? *A.* Yes, that I did—I swear that.

COURT. *Q.* You are not asked whether the fact passed, but whether you stated on the former trial that you put the question to the prisoner what time they would arrive at the Bank of England? *A.* I certainly gave that statement here, I am confident.

Cross-examined by MR JONES. *Q.* Do you mean to swear you said so on the last trial? *A.* I believe I repeated it as near as possible in the same words I have now—I certainly answered the question, and in the same words I think as I have stated now—I asked him if he could inform me what time they would arrive at the Bank, and he said, "They are arriving about this time"—I stated that at the last trial—I will swear that—I believe I gave that in a confused way, and I was stopped—I was giving the two sentences together and I was stopped, and whether I gave it a second time or not I cannot swear—I should think it was as early as one o'clock in the afternoon that I went there—I will not be positive whether it was or not—I know it was about the middle of the day.

JURY. *Q.* Had you ever been to Mr. Hartley's office before the 25th of March? *A.* Many times—I do not recollect ever seeing the prisoner there on the different occasions.

HENRY MOSS *re-examined by* MR. CLARKSON. *Q.* I forgot to ask you yesterday whether in the course of your conversations with the prisoner any thing passed on the subject of a letter received from Mr. Hartley? *A.* On Sunday, the 24th of March, the prisoner was at my house with his father, and the prisoner showed me a letter he had received from Dublin—I mentioned that at the police-office before the letter was shown to me—the subject of that letter was a complaint of his not having acknowledged the receipt of 300*l.*—I have no doubt this is the letter (*No.* 7.)

(*This letter being read in part, was dated Dublin, 21st March, and was as follows:*)—"Dear Sir, This day week I sent you an order for 300*l.*, to be lodged on my credit at Williams and Co.'s, and you have not to this day acknowledged the receipt," &c.

JURY. *Q.* In the different statements you have made concerning this transaction, did you always make the same statement with respect to the share the prisoner had in the transaction? *A.* Precisely so—I have always attributed to him the same share in the transaction.

Cross-examined. *Q.* I think you say you made three different statements? *A.* I think I did—I am confident I mentioned the prisoner's name in the first statement—I gave that statement to Davis, who took it from me and took it somewhere—I am quite confident I have always mentioned the prisoner to be in the situation I have placed him at the present time—I swear his name was mentioned in the statement Davis took away—it must have been after nine o'clock, or about nine o'clock, that I saw Ellis Caspar in my parlour on Monday night, the 25th of March—rather after than before—I was fetched from the public-house to him by my servant—I could not have sworn on the last trial that it was eight o'clock.

Q. Perhaps you have found out since that Lea swore he did not leave Ellis Caspar till nine o'clock? *A.* No.

JOHN ROE. I am an officer of the City. My assistance was called in on the 26th of March last respecting this—after being at the office of Mr. Hartley, I went to St. Paul's coffee-house, and saw the prisoner there—he came while I was there—I asked him if he had the two letters with him, the one purporting to come from Falmouth, and the other from Marsh and Co. of Broad-street—his answer was, yes, he had, and he then produced them to me—these are them (*Nos.* 3 *and* 4)—No. 4 was just in the same state as it is now, with the back torn off, but the letters "er" left—I said "I suppose you know to whom this was addressed?"—he said "No, I do not"—I said, "Was it in that state when it was delivered to you by the gentleman?"—he said he could not say whether it was torn off before or since, all he had to look at was to see whether the signature was a genuine one, and which he believed it was—on the 1st of April following, in consequence of information I received, I went to New-street, Whitechapel-road—I found a house there without any body in it—I went from there to Mansel-street to the witness Moss—I had not communicated to either of the Caspars that I was going to Mansel-street—as far as I know they had no means of knowing what I was about—while I was in Mansel-street I saw the prisoner and his father both within thirty or forty yards of the house—they were merely coming down the street when I first saw them, and they immediately turned round again and went away—Mr. Hartley was with me—we overtook them, and Mr. Hartley asked the prisoner what he did there—(at that time we knew nothing against old Caspar) —his answer was he understood we had searched a house and found the gold, and he had come there to satisfy himself—he did not say who told him so, nor point out the house—he said he understood we had searched.

COURT. *Q.* He did not describe what street, or what place? *A.* No, but gave that as his reason for being in that street.

MR. CLARKSON. *Q.* Do you remember seeing the prisoner and having conversation with him about his knowledge of Moss? *A.* Yes, that was the next day—I had not found any thing at that time—I had searched Moss's lodging on the morning I saw him in Mansel-street, but found nothing—on the following afternoon, about four o'clock, I saw the prisoner in John-street, and asked him if he knew a person of the name of Moss—he said, "Yes, I do, two or three; one was my father's foreman once"—I said, "Where does he live?"—he said, "I don't know"—I said, "When did you see him last?"—he said, "About seven months ago"—I said, "What was your business with him then?"—he said, "I merely met him by accident, and asked him how he did"—upon his giving that account, Mr. Hartley gave him into my custody—that was on the 2nd of April—Moss surrendered himself to me about the middle of April—I have possession of a handkerchief, which I produced yesterday—I got it from a man named Fiestell.

JONAS COUTER. I am a letter-carrier in the General Post-office—Mr. Hartley's office, in John-street, is in my delivery, and was so in March last year—I have an account of letters delivered for Mr. Hartley on the 25th of March—the amount of the letters delivered that day was 7*s.* 10*d.*—I only keep an account of the unpaid letters.

Cross-examined. *Q.* Were there any paid letters, do you know? *A.* I cannot recollect, there might have been—I have been in the habit of delivering letters at Mr. Hartley's office nearly five years—there have some-

times been disputes and mistakes, but I always stuck to my book—I was right and they wrong.

MR. CLARKSON. *Q.* Have you ever had complaints that you made a mistake against yourself, in not having charged enough? *A.* No, I think not—this would be against myself.

WILLIAM DAVIS. I am an inland messenger of the General Post-office. There is a circular stamp kept at the General Post-office, with which all unpaid letters are stamped—the bags, on the 25th of March, were divided into eight divisions—each division was stamped with a particular letter—there were four stamps for each of the seven divisions, and one for the eighth, which is an auxiliary division—(*looking at the post-mark on letter No.* 3)—this stamp I do not consider the office-stamp—it is not the genuine stamp of the office—it is the London mark "E. M. R. 25,—39")—from the appearance of that stamp, that letter could not have come through the General Post-office—(*looking at No.* 4)—this is not the genuine London stamp—that could not have come through the General Post-office—it would not get such a stamp by coming through the post—(*looking at No.* 2)—this is the genuine London post-stamp—the form of the letters and the figures on the stamps on Nos. 3 and 4 have been imitated—I have the genuine stamp with me, but there has been an alteration as regards the date, from "39" to "40"—we change them yearly—the circle of the letter "E" is the same—the genuine stamp of the day and year was produced on the last trial, but since that the "39" has been altered to "40"—the letter "E" is a fixture, and the figures "18" in the circle—the same type is used for M. R. this year as in 39—here is an impression, taken in a book on that day before the duty commences—(*producing it*)—all the genuine impressions would exactly correspond with this.

Cross-examined. *Q.* Did you stamp letters on the 25th of March? *A.* I did not—the book is signed by Atkinson—I should think these stamps would be calculated to deceive an ordinary eye, but would be detected by the experienced eye of a Post-office clerk.

JANE BRADLEY. On the 25th of March, last year, I lived with the witness Moss as his servant, and had done so about two years—he lived in New-street, just by the London Hospital, all the time I was with him—he went out in a working-dress when he went to work in a morning—that was generally the case, except on Sundays—on Monday, the 25th of March, he went out about half-past eight o'clock in the morning, as near as I can recollect—he was dressed in his best clothes—he returned between one and two o'clock, as near as I can recollect—I heard a knock at the door—it was one knock—he usually gave a double knock—mistress opened the door to him—I heard him say when he was let in, "Where is the girl?"—he usually dined between one and two o'clock—he did not stop to dinner that day—he did not remain long before he went out again, I think, about half-an-hour, as near as I can recollect, but I cannot recollect—he came back again directly, and asked for his handkerchief—mistress brought him down two handkerchiefs, and I gave them to him—one was a kind of red one, I forget the colour of the other—he came back in the evening, I think, about eight o'clock, as near as I can guess, and had his tea—he then washed himself, put on his common coat, the coat he went to work in, and went out—I cannot say at what time he went out—while he was out, Ellis Caspar called at my master's house, and I went to the Earl St. Vincent public-house to fetch my master—I knew I should find

him there—he came back with me—Ellis Caspar was still there—I did not sleep in the house—I think I left about eleven o'clock that night—Ellis Caspar was there still in the house with master—I returned next morning, I think, about half-past six o'clock—it was my duty to light the fire—the fire-place looked very dirty, and was all over white ashes—it seemed to be the ashes of wood—there were some nails mixed with them, and the hob had red sealing-wax on it—my master was in bed when I got there—my mistress went out directly after I got there—my master came down soon after, about half-an-hour after mistress went out, between seven and eight o'clock, I believe—he went out after dinner—he dined about one o'clock—I do not recollect that he went out from seven o'clock in the morning till one o'clock—he went out about half-an-hour or an hour after dinner—I found lodgings were taken in Mansel-street, which is about a mile from New-street—I packed up, to take the things away—there was a box, secured with a rope—it was Mr. Moss's daughter's box—it appeared very heavy—I saw it taken away in a truck—we went to the new lodging in Mansel-street on the Tuesday night.

Cross-examined. Q. Were you taken up on this matter? *A.* Yes—I was kept under Lea's care, at the Flying Horse public-house—I do not live with Moss now—I have learnt a business—I was at home on Sunday, the 24th of March, at Moss's house, all day—I had my meals there—they dined about one o'clock on Sundays—that was the usual hour, sometimes later—it might be a little after one o'clock, because he came home from work—he used to work on Sunday—he went out to work that Sunday, about nine o'clock, and came home about one o'clock, or a little after—he came home by himself—I did not see any body with him—nobody came to dinner that day—Ellis Caspar came while they were having dinner—he was in the front parlour—I did not see any more persons come that day—I did not see him come with my master—I think he came while he was at dinner, and went into the parlour—then Moss went and spoke to him, and then he went home, and Moss went to his work—I do not recollect whether I opened the door to him—I saw him there—I think he remained about half-an-hour—I was in the back parlour.

Q. And he in the front parlour, with your master and mistress? *A.* Mistress was not there—I opened the room door, I think, and let him in—I told master Mr. Caspar wanted him, and Ellis Caspar went into the front parlour—I do not recollect going into that parlour while he remained there.

Q. Can you tell whether any body except your master and Ellis Caspar was in the parlour? *A.* No, I cannot, but there was somebody else there at night—I do not recollect any body else being there between one and two o'clock—I did not see them, but I was about my work—I did not let any body else in—I did not see Ellis Caspar go away, but I heard the door shut—somebody was there on Sunday night, but I did not see them—I left the house that night, I dare say, between nine and ten o'clock—my master came home about eight o'clock on the Monday evening, washed, and went out—he had gone, it might be about half-an-hour, when Ellis Caspar came—the Earl St. Vincent public-house is not a great way from the house—it would take me five or ten minutes to walk there—my master came with me, and found Ellis Caspar at his house when we got there.

Q. Did you notice what time Ellis Caspar came to your master's house that night? *A.* I think it was about nine o'clock, or a little after—I think

it was as much as that, but I cannot exactly say—I think it was about nine o'clock—the Earl St. Vincent public-house is not within three or four doors of the house—it is not in the same street; you turn down a street, and then down another street—it is at the back of the hospital.

Q. Do you remember at any time, after this business, being in a hackney-coach? *A.* Yes, I got into it, I think, in Whitechapel—Roe and Lea were with me—nobody else came into the coach while I was in it, that I know of—there was no person there who I did not know—I do not know where I went in the coach—I got out at a place I think was an office—it was not Lambeth-street—I do not know where it was—I was not in a hackney-coach with them at any other time.

Mr. Clarkson. *Q.* You do not recollect, positively, whether you opened the door or not yourself on Sunday? *A.* No, I remember seeing Ellis Caspar—whether there was any body else, I do not know.

Court. *Q.* Where was Mrs. Moss at dinner on Sunday? *A.* She was there—we dined in the back parlour, but they were in the front parlour.

Thomas Harland. On the 25th of March last, I was the driver of a *cab*—I was on the stand at Cornhill—about twelve o'clock that day, Moss got into my *cab*, and desired me to drive him to Iron-gate-wharf, which I did—one of the porters came out—(*looking at Kingston*)—that is the man—he came to the *cab* door—Moss remained in the *cab* some time—the porter fetched a gentleman—(*looking at Mr. Bristow*)—that is the gentleman—Moss showed him a bill or letter—he then went out of the *cab* into the wharf—he was followed out of the wharf by a man who put two boxes into the *cab*—there was some red wax on them—Moss had a blue bag—I gave one of the porters a four-penny piece, by his direction—I do not recollect whether he gave the porter any thing—I think he gave Kingston a shilling—I drove him to the Cross Keys public-house, Wood-street—he told me to drive fast—the boxes were taken out there, and put into the office, and I was dismissed.

John Macbeth. I am a *cab*-driver. On the 25th of March last, I was in Cheapside—Moss hired me, and told me to drive to the Cross Keys, Wood-street—one box, in a blue bag, and another not in a bag, were put into the *cab*—he told me to drive him to the London Hospital—I was going to drive into the Hospital, but he called out, and got out at the corner of the hospital, that is no great distance from New-street—he took one box out with him, which was in the bag, and told me to take care of the other—he came back, with a blue bag empty in about three-quarters of an hour, and told me to drive him to the Iron-bridge—the remaining box was still in the *cab*—I went down Commercial-road, but he pulled me up just beyond Limehouse church, on the left hand—he got out, put the box on the pavement, and put it into the bag—I assisted him, as the box was heavy—there were seals and pink tape round it—this was about one o'clock.

Cross-examined. *Q.* Did you see any one else with him at the London Hospital? *A.* No one at all—Moss had rather more whiskers then than he has to-day—they were black whiskers—and he had a blue rough frock-coat, not the sort of coat he has on now—to the best of my knowledge, it was a blueish coat, and a frock-coat—I believe, I am positive of its being a frock-coat, and a blue one.

Mr. Clarkson. *Q.* Have you any recollection of his dress at all—can you undertake to swear what his dress was? *A.* No.

GEORGE CARTHEW *re-examined.* *Q.* Is Mitchell the man you saw? *A.* He is not—it was a much taller man, and older—I do not think he is the man.

MR. JONES. *Q.* Look at that young gentleman (Blundell) will you undertake to say he is not the person you saw at the office when you asked about the boxes of gold? *A.* I have no recollection of ever seeing Mr. Blundell at that office—I do not know that I could swear, he might not be the man, but my recollection carries me that the prisoner is the person I speak of.

MR. CLARKSON. *Q.* You have no recollection of ever having seen Blundell at the office at all? *A.* Not up to that time—I have since.

WILLIAM BLUNDELL *re-examined by* MR. JONES. *Q.* Do you know Carthew? *A.* No, I never saw him before, that I am aware of—I might have seen him standing about here—I do not remember having any conversation with him at the office about the specie.

COURT. *Q.* Did you ever tell any man, on the 25th of March, that the specie would be about that time at the Bank of England—did any body ask you if you could inform him what time they would arrive at the Bank of England? *A.* I believe there was a man called—I believe he asked me that question—I believe it was while the prisoner was absent—I cannot undertake to swear that person was not Carthew—I do not know who he was—I do not remember whether the man stated that he came from the Brazilian Company.

MR. CLARKSON. *Q.* You do not recollect seeing Carthew? *A.* No, I do not recollect the person of the man who called, or whether he was young or old.

COURT. *Q.* Was the question put to you at Mr. Hartley's office, whether two boxes of gold dust had arrived, marked "B. C. 18 and 19," by any vessel from Falmouth? *A.* I believe something to that effect—it was put to me—I believe I answered, "Yes"—the same person asked if I could inform him what time they would arrive at the Bank, and I think the answer I gave was, "They are there by this time."

Q. How did you know any thing about it? *A.* I knew they would be landed about ten o'clock, and by that time they would arrive at the Bank of England—I knew they were expected by the manifest-book—I had copied the manifest into the book.

MR. CLARKSON. *Q.* Were there several inquiries made about the boxes? *A.* No, I believe not.

GEORGE SHEEN. I helped to move Moss's goods from New-street to Mansel-street—a box was produced to me upon the last trial—that was very much like one of the boxes I moved upon that occasion—I know Mrs. Levy, Moss's sister—she was there assisting.

GEORGE READ. I am a tailor, and live in Northumberland-place, Commercial-road. I had a house in New-street, No. 12. On the 26th March, Moss lived there—he went away on the 27th.

JOSEPH JEPSON. I live in Mansel-street. In March last year Mrs. Moss engaged apartments at my house—the goods came in on the 26th and 27th.

EDWARD HENRY. I live in Bread-street, Cheapside, and am a merchant. I knew Moss in the service of Mr. Hyams, who I had dealings

with. On the 25th of March, Moss came to my house—I gave him a cheque that morning before ten o'clock—I do not exactly recollect the hour—this is the cheque, (No. 9.)

Lucy Marshall. I am a widow. I lived opposite Moss's house in New-street—I knew his person well. On Monday, the 25th of March last, I saw him go into his house, about three o'clock, or between three and four o'clock—I observed he had something very weighty with him—he used to have a plate with his name on the door, and next morning I observed that the plate was taken off—I saw the goods being moved away that day—a box was shown to me at the last trial—I saw a box like that moved out.

Adolphus Fiestell. In March last, and before that, I kept a coffee-shop in Great Tower-street. I have known the prisoner a long time—I was not acquainted with Moss at that time—I remember the prisoner coming to my coffee-shop—it must have been before March—I think in January, at the end of January—there was a gentleman with him, but I cannot recollect him—they had coffee there—after they were gone I found a pocket handkerchief—(*looking at the one produced by Roe*)—I believe this is the handkerchief—I had known the prisoner a very long time—he had never been to my coffee-shop before, to my knowledge—I am certain of his having been there on that occasion—I believe this to be the handkerchief, but I gave it directly to my wife, and did not examine it so accurately—I had it back from her afterwards, and delivered it up at the police-office, to Lea or Roe—(*looking at Roe*)—that is the gentleman—I gave him the same handkerchief as I picked up that day.

Cross-examined. *Q.* Had you ever seen the prisoner at your shop before? *A.* Not to my knowledge—I have known him from a child—I did not know Moss at all—I cannot swear to his person—he might have been at my coffee-shop—there may be a hundred people in my house at a time—I swear I do not recollect Moss—I have never seen him at my coffee-house since to my knowledge, and I do not swear it was him with the prisoner—I found the handkerchief, and gave it to my wife instantly—I do not believe any one was in the room when I found it, because it was about six o'clock, when they went away, and I went up stairs to see if any body had left any thing, and found the handkerchief—I took it down to my wife instantly—it was about half-past six or seven o'clock in the evening when I found it, to the best of my recollection—I had a waiter at that time who was my wife's brother—I solemnly declare he was not present when I found it—I knew where the prisoner's father lived at that time—I found the handkerchief in the place where the prisoner and the other had sat.

Q. Did you take any pains to inform the prisoner you had found it? *A.* I did not see him afterwards, but I left it, saying, should Mr. Caspar call, for the handkerchief to be returned—I did not send to him, because I did not know who had lost it, the prisoner or his companion—I believed one of them had, but many other people came to the house.

Q. Why not send to the prisoner to say you had it? *A.* I did not know whether the prisoner would not come back to ask for it—I should not have kept it if it had not been inquired for—it is in possession of the officer—I kept it five, six, or seven weeks—I did not know where the prisoner lived, and if I had, I expected he might have called again, and that might have been another 1*s.* in my pocket—I have never had any communication with Moss since that time.

Q. Do you mean to swear you saw that handkerchief for the first time on the day the prisoner was at your shop? *A.* I can swear positively, I believe it is the handkerchief I found at the time the prisoner was at my house, but I will not positively swear it is the handkerchief until my wife identifies it.

COURT. *Q.* The question is, whether you found it on the day the prisoner was at your house? *A.* Yes, I did.

MR. JONES. *Q.* Do you know Davis? *A.* A little Jew has called at my house, I believe, once—I swear solemnly that I did not know he was Moss's stepfather—I heard afterwards that he was—I saw Davis—I do not know where he lived—he did not tell me—he came with another person—I have not received 15*l.* from Davis since this transaction—I received 2*l.* from him at the time he came to my house with a person named Mrs. Abrahams—I mean the Mrs. Abrahams who was tried—they came to my shop a few days after the prisoners were taken up—the handkerchief was produced to them—they did not ask for it—they came while I was out, and applied to my wife, and she showed it to them—I saw them when I came home.

Q. What did you receive the 2*l.* for? *A.* I did not know Davis at all, but Mrs. Abrahams came to me, and said, "Do you know Caspar?"—I said, "Yes"—she said, "How long is it since you have seen him?"—I said, "About two months ago."

Q. On what account did you receive the 2*l.*? *A.* I must tell you what for—he did not owe me any money—I did not know him—he gave me the money—he made me a present of it—I had seen Davis before, but not known him—I never had any previous transaction with him.

Q. Now, why did he give it you? *A.* Mrs. Abrahams called on me with him, and I knew Mrs. Abrahams very well—she said, "Mr. Fiestell, do you know the name of Caspar?"—I said, "Yes"—she said, "Do you know the gentleman who was with him? can you recollect him?"—I said, "No"—she said, "Don't you know Mr. Moss?"—I said I did not—she said, "Suppose I tell you how he looks, so and so"—I said, "Tell me what you like, I can't recollect him"—she said, "I shall describe him to you"—I said, "If I take descriptions of people who come to my house I must have a very good memory, but, perhaps, if you show him to me I may recollect him"—at that time there was 500*l.* reward against Moss, and it appeared to me they would not let me see him—David made me a present of 2*l.* to induce me to say I knew him, but I would not.

Q. But you took the 2*l.*? *A.* Certainly, why should not I? but when I came to the office he was pointed out to me, and I said, "No, I can't swear to him," and I would not swear to him.

Q. It was given to you to swear Moss had been at your coffee-house with Caspar? *A.* He made me a present of it—the handkerchief was shown by my wife, but not in my presence—I believe I did not see it—I might have seen it, or I might not—I believe I did not, because it was shown to them before—they had called twice.

Q. Was it not mentioned in that conversation that you should swear that handkerchief was left when the prisoner was at your house? *A.* I cannot recollect it.

Q. Do you mean to swear you cannot recollect? *A.* I cannot recollect that the handkerchief was shown.

Q. That is not the question—Will you swear you cannot recollect whe-

ther the 2*l.* was given to you to swear you found it there on a day when the prisoner had been at your shop? *A.* I do not recollect—I do not know what they gave me the 2*l.* for.

COURT. *Q.* Did they suggest to you that you should prove the handkerchief was left when the prisoner was there, at the time you had the 2*l.*? *A.* The 2*l.* was given to me to swear I knew Moss, to identify him—there was no talk about the handkerchief, to my recollection.

MR. JONES. *Q.* Now, were you not asked, in the course of conversation, to swear the handkerchief was left there on a day when the prisoner was there? *A.* It might be so—I will not swear to what I cannot recollect—you will not make me swear what I do not recollect—it might have been said so.

COURT. *Q.* Were you not asked, "Cannot you prove this handkerchief was left at the time Caspar was at your house?" *A.* Yes, that was the case—it was left—that was the point, that I should identify Moss, which I would not do.

MR. JONES. *Q.* Did not Davis bring a handkerchief with him on that occasion? *A.* He did not—nor did Mrs. Abrahams, neither of them—no handkerchief was produced but this one, which I believe to be the handkerchief I found.

COURT. *Q.* Did either of them state to you that they were in a condition to prove the handkerchief left with you belonged to Moss? *A.* Yes, Mrs. Abrahams said so.

MR. JONES. *Q.* Can you tell how either Davis or Mrs. Abrahams knew that the handkerchief was left there? *A.* I told Mrs. Abrahams and Mr. Davis there was a handkerchief left by those people, by Mr. Caspar, here it is; and I showed it to them—they had not said a word about a handkerchief before I did—I will swear that they never mentioned a single word till I showed it—they then asked whether I recollected Caspar calling, with another gentleman with him, Mr. Moss—I said, "I don't know him, I knew Caspar from a child"—they said, "Do you know what has happened?"—I said, "I have heard there is some robbery"—they said, "You remember he came to have some coffee"—I said, "Yes, Caspar came with another person, but I don't know him"—Mrs. Abrahams described him, and said that he had whiskers before, and that he took the whiskers off—I said, "I can say nothing about it till you show me the man"—Davis gave me 2*l.*—I said, "Very well, I will receive this as a gift, but I must see the man before I swear to him—I did not return the money when I could not swear to him.

COURT. *Q.* Did you show them the handkerchief and say, "I cannot swear to the man until I have seen him, but I have a handkerchief that one of them I believe left?" *A.* No—they had been several times, but the first time they came I was out, and I understood my wife had shewn it to them—she looked at it and at last found a mark—Mrs. Abrahams said, "Oh, I believe he has lost a handkerchief"—Davis then gave me the 2*l.* to swear positively to Moss that I knew him, but I said, "I will go to the police-office;" but when I got there I did not know him, and would not swear to him—they asked me to swear that I saw him.

MR. JONES. *Q.* Did they ask you to swear Caspar was there? *A.* Yes, they did of course—I do not know whether it was before or after they asked me to swear that, that they gave me the 2*l.*—I could not deny Caspar being there, as I knew him—they asked me to state Caspar was there—I cannot say whether it was after that that they gave me

the 2*l*.—that is the only sum I have received from any person—if they had offered me 100*l*. it would be the same as 2*l*.—I was quite satisfied, I would not swear to any thing I did not know—I did not ask them for any more—they did not promise me any more—they promised me if I wished to do so that they would give me a 20*l*. note if I would identify Caspar, I mean Moss, but I would not.

Q. I ask you if they did not offer you a 20*l*. note to swear Caspar was there? *A*. I told you they, in the plural, they both were there—they did not ask me particularly to swear that the prisoner was there, but that both he and Moss were there—that was after Moss was taken up—I have never seen Davis since—I did not see him at Lambeth-street office—the only time I saw him was at my house, twice he called—I knew him from seeing him, but had not any particular knowledge of him—I will not swear I had not spoken to him before, but I never had any business with him, nor did I know what he was—I did not know he lived in Coventry-court till afterwards—I never went there—I kept the coffee-shop ten or eleven months—I was also an agent for foreign wines—my counting-house is 84, Lower Tower-street—I am still an agent for foreign wines—I do commissions—I am a general agent—before I went to Tower-street I kept a fancy toy-shop in Lowther Arcade—I was there eighteen months—I was always the same trade, a foreign agent in the wine trade, and so I am now.

Q. What do you mean? *A*. Suppose a foreigner comes over, having wines to sell, I have customers, and sell them, and my commission is five per cent.—I have been a bankrupt, to my misfortune, only once, and obtained my certificate in 1824—I have twice taken the benefit of the Insolvent Act—the last time is three years and a-half ago—I believe the first time was about seven years ago—I was discharged the first time—I was remanded once I believe six or seven months, but I did not stop all the time out, because I settled with the detaining creditor—I was detained for defending an action without grounds—I have never been in the habit of becoming bail for people.

MR. CLARKSON. *Q*. Can you tell how the prisoner, or any body belonging to him, knew any thing about Davis and Mrs. Abrahams coming to your house? *A*. I do not know—I was examined on the former trial when Mrs. Abrahams was charged—I was not then asked a word about the 2*l*.—I have heard that Davis is indicted with the rest—I never had any doubt that the prisoner was one of the persons who came to my house—I never attempted to swear Moss was the other man—they offered me 20*l*. to swear it—I did not know, at the time Davis and Mrs. Abrahams came to my house, that Mrs. Abrahams had had the gold dust through her hands—I never knew that either she or Davis had had any thing to do with it.

JAMES LEA. I was an officer of Lambeth-street. On the 25th of March I remember the prisoner coming to the office and seeing Mr. Hardwicke, the Magistrate, about half-past two o'clock—he produced these two letters—(Nos. 3 and 4)—he said a serious robbery had taken place that morning, at Irongate Wharf, and that a person had come in a cab from Mr. March—he gave me a description of the mode in which it had been effected, that he had given it to a person who came in the name of Mr. March—I afterwards went to Irongate Wharf—he staid some few minutes with me at the wharf—he then left me, and said he could be of no further use to me—I staid some time, and then went to the office in John-street, and saw the prisoner—he opened a drawer, and produced

three or four letters of Messrs. Carnes', and asked my opinion as to the writing, whether it did not correspond with the two letters I had before seen—he said he considered himself they were one and the same writing—I said, "No, they appear to me quite a different writing"—he then particularly drew my attention to Messrs. Carne's signature—I said that appeared to correspond with the others very much—he said it was principally on the faith of the signature he had given the order to the person for the boxes—I asked him at that time the description of the person who had been to receive the order—he said he was a man shorter than himself, grey whiskers, it appeared as if he had been a traveller, that he had a weather-beaten countenance—if I recollect right, he said he appeared to be about sixty years of age, and had grey hair—he said he did not know him—he said he supposed, from what he stated, that he had come from Mr. March, and he did not know whether it was Mr. March or not—about eight o'clock that night I was at the Swan-with-two-Necks, making inquiry about the Falmouth coach, and while there, the prisoner and his father came in—he inquired about the Falmouth mail, and said he was going by the Falmouth mail—I made inquiry, and found the mail had been gone about a quarter of an hour before they came in—I told the prisoner I thought if he had a wish to go, he might overtake the mail at the Southampton rail-road—I went with them in a coach, but the mail had been gone about ten minutes I think—the mail goes by the rail-road—I do not think he had stated to me before, any intention of going to Falmouth—I have no recollection of it—he called at two or three coach-offices coming back, and said he should go next morning—as we returned, Ellis Caspar left the coach—I am not quite positive where he left it—I thought it was at Charing-cross, but it was between Charing-cross and St. Paul's—the prisoner said there would be hand-bills out next day, and 500*l.* reward offered—he said Mr. Allen, and Mr. De Mole were to have them printed—I expressed a wish to see Mr. De Mole before they were printed, and the prisoner requested his father to go immediately to prevent their being printed—I had been to the St. Paul's Coffee-house in the morning, and found three persons were putting up there from the Falmouth mail that day, and I went to see them—I called there again in the evening with the prisoner, after his father left—I gave a description of the person as the prisoner had given me, grey hair, and whiskers, a person shorter than him, and about sixty years of age—he never contradicted me, or said that was not the person—there was a description given then, that such a person had been there—one of the three who had come by the mail—I think the waiter gave me that description, and the prisoner said that appeared the sort of description of the person—that person was described as about sixty years of age, with grey hair and whiskers—the prisoner also said he thought I could not do better than to pursue the inquiry there, and stick to the person at that house—he also told me the same thing, two days afterwards.

Q. How long afterwards did you trace the *cab* to New-street? *A.* The first *cab* I traced, when the prisoner was with me, in the Minories—I afterwards traced a *cab* to the neighbourhood of New-street, and went to a house in New-street, which had no tenant, and where a plate had been taken off the door—I have since ascertained that to be Moss's house—I found a quantity of nails in the grate, and some under the grate, and some in the dust-hole.

Q. Could you judge what had been burning in the fire-place? *A.* It appeared to me to be white wood ashes—there were several pieces of wood, and about sixty nails, which I produced at the last trial—some of the wood was partly consumed—I left them here at the last trial—I went to New-street three or four days after the robbery—I did not notice any sealing-wax—I afterwards went with Mr. Hartley to Mansel-street, and saw the prisoner, about five o'clock in the evening, with his father, nearly opposite Moss's house, in Mansel-street—I had some conversation with the prisoner afterwards—I took Mrs. Moss and Mrs. Levy into custody—I afterwards produced a box, found in a small room adjoining the bedroom—I ultimately produced five gold bars.

Cross-examined. *Q.* From what you saw of the prisoner, did not he appear anxious to afford you every assistance to find out the thieves? *A.* He appeared very uneasy when he came to the office about it—I should say he expressed great anxiety to find out the thieves for the first half hour—I saw very little of him after the first day—he did on the first day—he went with me to the wharf, and to the coffee-house—he was the first person I received information from of the robbery—he did not describe the man as rather taller than himself, I understood him shorter—as far as my recollection serves me, I think he said shorter—I will not be positive—I stated on the last trial, that that was the description he gave—I obtained from the *cab*-men a description of the man who went to the wharf—that description did not correspond with the one given me by the prisoner—neither of them—Harland described him as a tall man, in black, and dark whiskers—I do not recollect Macbeth's description—he said nothing to me about grey hair—he did not describe him as about sixty years of age—I received a description from Blundell—he said he was a tall person with dark hair, and whiskers—the first *cab*-man I saw was Harland—I saw three altogether, but the first I have not mentioned, as I could not find his address—the prisoner went with me, when I saw that *cab*-man, who said he had been with a person to the office, in John-street, and put a person down at the Bank—I asked that person for a description of him, and he described him as a tall man, in black, and dark hair, and he thought he had the appearance of a Jew—he did not describe him as a man with grey hair, and whiskers, and that *cab*-man identified the prisoner as having come to our office in his *cab*—I said, "It is strange you should come here in the same *cab*"—it was not through the information I received from the prisoner that I traced the *cabs*—he said the men came in a yellow *cab* with four wheels—that was the only description of it—I never could find that *cab*-man out afterwards—the other two *cab*-men were examined at the office—neither of them stated, on seeing Moss, that he was not the man—the first *cab*-man was not examined, for I took his number down, and I expect I made a mistake in one of the figures, for I could not trace him out—the first *cab*-man did not see Moss in my presence.

COURT. *Q.* What time did the prisoner come to you in that *cab* said to be the same? *A.* About half-past two or three o'clock.

Prisoner. The first *cab*-man was examined, and said he could not recognise Moss, and so his deposition was not taken. *Witness.* I do not recollect any thing of that kind.

Prisoner. He lived in Gray's-inn-road. *Witness.* Yes, he gave me his direction, but I could trace no such person out.

MR. JONES. *Q.* Are you quite positive he was never examined at Lambeth-street? *A.* I do not recollect seeing him—I cannot say that he did not state Moss was not the man—I know nothing of it—I received the gold bars from Dean, Solomon's shopman, on the 17th of April—I left the Swan-with-Two-Necks in a coach, in company with the two Caspars, I think from ten minutes to a quarter after eight o'clock, and went to the Southampton railway at Queen's Elms—we got there in about half-an-hour, staid there about five minutes and then came back—we called at two booking offices in the Circus, St. James's-street, and another in Piccadilly—I think it must have been somewhere about nine o'clock when Ellis Caspar left the coach—it might be a quarter-past—it might be half-past, I will not pretend to say—we drove fast back—we went up Waterloo-place—we made no stay there—the prisoner got out and inquired about the coach—Ellis Caspar was not with me in St. Paul's church-yard I know—I cannot recollect precisely where he got out—I rather think it was between Charing Cross and St. Paul's church-yard.

Q. Supposing he got out at Charing Cross, how far is that from Moss's house, in New-street? *A.* Two miles and a half, I think—I do not think it is three miles—about two and a half—I think it is under three miles—we made no stop at either place coming back—we left the station at about twenty minutes before nine o'clock—it would take the best part of a quarter of an hour to get to Charing Cross—it is about a quarter of an hour or twenty minutes' drive from Charing Cross to Queen's Elms—I am sure it was not ten o'clock when Ellis Caspar left us.

Q. Will you swear it was not a quarter to ten? *A.* I cannot swear to a quarter of an hour.

JOHN HOWARD. I was employed by Lea, in March last, to watch some people about this robbery—I remember Good Friday—I do not know the day of the month—on that day I saw the prisoner with his father—I first of all followed the prisoner from Mr. Hartley's office in John-street to his own house in Finsbury-pavement—he went into the house and waited some time—shortly after, his father came out with him, and I followed them down to the office in John-street together—on the Monday following the 1st of April, I saw the prisoner with his father in Mansel-street about five o'clock—I know Moss's house in Mansel-street—they were about as far from Moss's house as I am from the door of this Court—I observed Ellis Caspar put his hand up, pointing to what appeared to me the apartments where Moss was living, lolling his head towards the prisoner.

Cross-examined. *Q.* Have you been in the habit of being employed in that way? *A.* On one occasion—I am now employed in the London Dock—I watched the prisoner's house on one occasion, but saw nothing—I was directed to follow him—I followed him to Finsbury-pavement, and on the door was written "Caspar"—I waited a considerable time and saw nothing—I have never said I watched their house from morning till night—I stated on the last trial that I watched the prisoners all I could, but never said about watching their house.

JAMES LEA *re-examined by* MR. JONES. *Q.* Did you make inquiry at Mr. Hartley's office of the different clerks there, as to the description of the man who went in the *cab*? *A.* I did—they did not all agree in the description—one of them differed—none of them described the man as having grey whiskers—I believe Mitchell gave a different description of him.

Q. Did you not swear on the last trial that Blundell described the man

precisely in the same way as the prisoner had? *A.* No, I do not recollect—one of Mr. Hartley's servants gave a different description of him—some said he was taller than the other, and different to what the other described him—it is possible one of them might have said something about grey whiskers—one of them, I do not recollect which, said he thought he had grey hairs in his whiskers—I do not recollect stating on the last trial that Blundell's description corresponded with the prisoners as to the whiskers—as near as I can recollect, I think it was Mitchell stated something about it—I remember one of them said he had grey hairs in his whiskers—I might have said Blundell's description corresponded with the prisoner's as to having grey hairs in his whiskers.

No 5. (*read.*) "London, 23rd March, 1839.—Messrs. W. and E. C. Carne,—Dear Sirs, A most diabolical robbery has been committed here through the means of forging your signatures to two letters. On the other side I send a copy of them, and I beg that you will use your utmost exertions towards discovering the perpetrator. The impression is that it must have been done by persons who have had access to your office or knew of all the particulars as early as yourselves. The letters were posted at Falmouth on the 23rd, and arrived with this morning's manifest. Shortly after a gentleman called, requesting the delivery of two boxes marked "B C 18 and 19;" he showed me a letter which purported to be Mr. March's, or from him. I had not the slightest suspicion, and referred him to the wharf, writing an order for their delivery; unfortunately they were handed to him, and it only remains to use every exertion to obtain a clue. Let me beg and entreat of you to shew your usual zeal in this matter. Believe me, dear Sirs, I am almost heart-broken. Yours very truly, L. CASPAR. The man who called at my office appeared about fifty or sixty years of age, grey whiskers, middling stature, very dark complexion, swarthy, or very sunburnt, as an old traveller would appear, has a country dialect, as if from your parts. I think he was lame, as he walked very slow, or perhaps limped."

JAMES HANDS (*police-constable K* 248.) I was at Lambeth-street office on the 14th of June I think—I do not exactly recollect the date—the prisoner, Ellis Caspar, Mrs. Abrahams, and Moses were all four in confinement in one cell in the office—I heard the prisoner conversing with Moses—they were talking loud—I was not in a situation to see as well as hear—I heard the prisoner say to Moses, "Do you intend to let me have any money, I want 40*l.* or 50*l.* to prepare for my defence"—Moses answered "No, I want four or five fifties to pay or prepare for my own"—the prisoner said, "Had I have had the 1400*l.* or 1200*l.* as you promised me, things might have been different"—Moses said "You are a b—— rogue, you did not give him even what you had"—he did not mention who he meant by *him*—there was something said then which I did not hear, and I heard Moses say, "Did you ever give him 5*l.*?"

Cross-examined. *Q.* Were there any other persons than those you have mentioned confined in the cell? *A.* No, none but the four—there was not a drunken woman confined as well—there was no drunken woman in custody then, nor any woman—there was a drunken woman in the yard, but that was some time afterwards—the cell-door was shut when I heard this conversation—there were only those two talking—I did not hear the others speak—I was in the yard—I cannot exactly say how long—it might be a quarter of an hour, or five minutes more or less—my attention was taken by hearing them talk, and I went to the door to listen—I did

ot go backwards and forwards while they were talking—I kept by the oor—I cannot exactly say how long I was listening.

Q. When was the first time you told of this conversation? *A.* I communicated it in part within a few minutes after, to Cook, the gaoler, at ambeth-street—he heard part of it himself, I believe—I stated that at the st trial, and at Lambeth-street, it might be an hour or two hours after I eard it—I had seen the prisoner before that day—I had been in the habit f standing, while he was under examination before the Magistrate, close) him—I had heard him speak before—I believe, with the exception of ne examination, I heard him every time, which was, I think, six times—heard him speak while his case was being heard—he was in conversation ith his solicitor and others—I have never said there was so much conasion in the yard that I could not hear exactly what was said—I said I ost part of the conversation in consequence of an old man coming to raw water from a tap in the yard—I did not hear the prisoner ask Moses o lend him 5*l.*, or that he had promised to lend him 5*l.*—that did not pass n my hearing.

Q. Did not you state on the last occasion that he said, "If I had ot the 1200*l.* or 1400*l.*, as you have, I would not have denied ou?" *A.* The prisoner said that before the Magistrate—when I made he statement before the Magistrate, he admitted the conversation, but said ie had said, had he got the 1200*l.* or 1400*l.*, as he, Moses, was said o have had, he should not have objected to let him have 5*l.*—that was he substance of the explanation he gave.

Mr. Clarkson. *Q.* Was the prisoner's explanation a correct account of what passed, or was the account you have given on oath? *A.* The account I have given on oath.

Adolphus Fiestell *re-examined by* Mr. Jones. My brother-in-law, Callaway, who was my waiter, appeared as a witness on the last trial—I was not present when he was examined—he was waiting on the day the prisoner and the other persons were at my coffee-house—he waited on them—I do not know where he is—I cannot find him—he left me nine months ago—I have not seen him since the last trial—I have not seen him about the Court to-day, nor since the trial—I have not spoken to, or seen him.

James Lea *re-examined.* I have made every inquiry to discover Callaway, to bring him here—I have been to all his relations in London—none of them know where he is—they said he was at Brighton, but did not know where there.

Cross-examined. *Q.* Did you go to Brighton? *A.* No; I did not know what part to go to, nor have I sent after him—I inquired of Fiestell where he was—he said he did not know—I did not hear Callaway examined at the last trial—I am sure I was not in Court when he was examined—I do not think I was in Court at the time.

William Blundell *re-examined.* *Q.* Did you ever, and if so, at what time, inform the prisoner you had heard some of the gold dust had been found in Mansel-street? *A.* No.

Q. Did not you tell him Mr. Hartley was waiting at a house in Mansel-street, or some such street, where he expected to find the thief, or some of the property? and did not you tell him you were going to take some letters to Mr. Hartley at a house in Mansel-street, where he expected to find some gold? *A.* I was going to the Green Man public-house, in Mansel-

street, and told the prisoner I was going there, and that I expected to see Moss there—I told him that, when I went for the letters to the office—I cannot say when it was.

COURT. *Q.* How long after the 25th of March was that? *A.* Some few days, I think—I cannot remember—it might be a fortnight—somewhere thereabouts—I was going with letters to the Green Man public-house—I expected to find Mr. Hartley there, but he was not—Moss was to have been brought there, I understood—I did not see any thing of the gold—I did not describe to the prisoner who Moss was—whether they said Moss or the man whom they suspected had stolen the dust, I do not know.

Q. Who are *they?* *A.* The person by whom I was sent—somebody in the office—I believe it was the conversation in the office that Mr. Hartley was gone to the Green Man public-house, and they expected to find the thief there—whether I mentioned Moss by name, I do not know—I cannot say when I first heard the name of Moss in the transaction—it was in the afternoon that I told this to the prisoner—I was going to take the general-post letters which came that morning by the second delivery.

Q. Cannot you tell nearer than that it might be a fortnight after the 25th? *A.* I cannot say—I cannot say whether it might be longer or shorter—I cannot say whether it was the next day—I cannot say whether it was a week, or how long it was after—I believe nobody was present when I said this to the prisoner—it was in the back office—I went for the letters in the back office, and received the letters from him—I believe one of the clerks in the office told me they expected to find the man, and to take him to the Green Man public-house—I was examined on the former trial—I was not asked these questions then that I am aware of—I left the Court at six o'clock yesterday, and went to the office—I left there at eight o'clock, and went home—I have not given information since yesterday that I could prove this conversation with the prisoner—I have never given information about this to any body since the robbery—this is the first time I have been asked it—I have not told any one that I could prove it—I arrived here at nine o'clock this morning—I came by myself—I never communicated to the prisoner that I could prove this conversation, before he was taken into custody—he was in the office when I told him this, doing the duty of a clerk—I am not aware that I had any conversation with the prisoner in the evening of that day—I believe he had been in the office the whole of the morning on which I told him this—I think it was nearly three o'clock in the afternoon when I told him—I told him the letters I had in my hand I was about to take to the Green Man public-house, to Mr. Hartley, expecting the thief would be brought there that afternoon—I have never spoken or written to the prisoner since he was committed, nor seen his attorney or any body—I have not spoken to the attorney to-day or yesterday.

Q. Did you ever tell Lea that the person who called in John-street on the 25th of March had grey hairs in his whiskers? *A.* No—I gave him a description of the person who called, the same as I gave this morning or yesterday, large black whiskers, and stooped as he walked—about fifty, I think, was the age I gave—I did not say he was lame, or that he appeared infirm from age—I said he stooped as he walked.

MR. JONES. *Q.* Did you describe the man to Lea as having grey whis-

kers? *A.* I did not, nor grey hairs in his whiskers—I did not see the prisoner at Mansel-street when I went there.

MR. JONES *called the following witnesses for the Defence:*—

EDWARD CASPAR. I am the prisoner's brother. I remember Sunday, the 24th of March, last year—my brother was at home that day—we all lived together at my father's house—he was in the habit of lying in bed rather late on Sunday mornings—he got up that Sunday morning from half-past ten to twelve o'clock—I think about eleven o'clock—he breakfasted after he got up—he dined at home that day—I think we dined about three or four o'clock—we usually dined about that hour on Sunday—generally on Sunday we dined later—I remember Mr. Wilson, a clock-case maker, calling to see my brother, about half-past twelve o'clock, and he staid till about three o'clock, or it might be later—my brother went out about four o'clock or half-past, between four and five—I would undertake to say he was in my father's house between one and two o'clock that day—I am quite certain of it—I am quite certain he did not go out from the time he got up till between four and five o'clock—I was standing by his side nearly the whole of that time, looking over Mr. Wilson, who was teaching him drawing—he is a designer and draughtsman—my brother was in the habit of visiting Mrs. Manley, a friend—I cannot tell exactly what time he returned that evening—I do not know—he did not return very late—I always slept with him—we did not go to bed together that night, I went before him—I cannot tell what time he came to bed—I awoke between seven and eight o'clock in the morning, and found him there—I got up some time between seven and eight o'clock that morning, and left him in bed—I had to go up several times to call him that morning before he got up—I remember Mr. Riddington's man coming that morning, about a pair of boots—he came about ten minutes to nine o'clock—I did not go up and call my brother at that time—he came down to speak to the man within a few minutes to nine o'clock—he came down entirely in *deshabille*, in his slippers, and his coat across his arm—I cannot tell whether he had his breakfast after seeing Riddington's man, for I went out shortly after nine o'clock—I left my brother at home then.

COURT. *Q.* Where do you live? *A.* At No. 29, Finsbury-place—that is about twenty minutes, or half-an-hour's walk from Mr. Hartley's.

MR. JONES. *Q.* Were you in the habit occasionally of taking a sandwich to your brother? *A.* Every day I took it, from eleven to one o'clock, about one o'clock—I remember taking a sandwich to him at the office that Monday morning, I think, about half-past eleven or twelve o'clock, perhaps later, I did not notice the time—I saw him there—I saw a *cab* at the door, and thinking it might be my brother, I went up to it, and found it was a stranger—the *cab*-man grazed my leg against the step of the *cab* on his jumping down from the *cab*.

Q. Did you look into the *cab*, to be able to see the person in it? *A.* I looked particularly close, to see if it was my brother—I know Moss perfectly well.

Q. Was he the person in that *cab*? *A.* No—I am quite certain he was not—it was a yellow-bodied *cab*, with a black top, I believe, but I would not say that positively.

COURT. *Q.* The *cab*-man, getting down, grazed your leg; did you complain of the injury? *A.* Yes, I went into the office crying—I saw my brother, and then Mr. Hickey—I told them what was the matter—Mr.

Hickey asked me, and I told him the *cab*-man kicked me—I do not know whether Mr. Hickey is here.

Cross-examined by MR. CLARKSON. *Q.* Where were you when your brother was tried before? *A.* I was about here the first day—the rest of the time I was at home—I was not in the best of health on the 24th, 25th, and 26th of last June—I was not confined to my bed—there was nothing the matter with my leg then—I knew Moss before this transaction, from taking him jobs.

Q. Are you the little boy who was in here yesterday and the day before, communicating with the prisoner? *A.* I was in a short time, and Mr. Robinson told me to go out—I only spoke to my brother once or twice at the utmost—I do not think I talked to him four or five times—I should not like to swear it—I have known Moss a very long time—he was not in the habit of coming to my father's house—he has not been often at my father's house—I might have seen him there once or twice, but merely as a workman in the shop—I do not know that he was ever in my father's employ at all—my father gave him jobs, which, I believe, he did in his leisure hours—I do not recollect seeing him for a long time before this Sunday, not for about two years, at our house—I am fifteen years old next month.

Q. Where was your father on this Sunday? *A.* He was at home also—I knew my father was being tried in June last for sharing this offence—and I knew he was at home all day that Sunday.

Q. Although you knew he was charged with being at Moss's? *A.* Yes—I did not come forward as a witness—I may have seen Moss occasionally at his house in New-street, Whitechapel—I do not know the number—I know the house, by being sent there by my father—I cannot tell whether his name was on the door, I did not notice—yes, I think it was—I cannot tell whether it was on a brass plate, it might or might not—I do not know whether it was or not—I might not have noticed his name at all, or I might have noticed it—I did not notice it—I do not know whether it was on the door or not—I had been there several times—the last time was, I dare say, about eighteen months or two years ago, I think eighteen months—I cannot tell how long I had known Moss living in New-street—I remember him for a long time—I do not remember ever going to any other house to him—I have known him at that house three or four years, or it may be longer—I have two brothers and six sisters—the prisoner is my eldest brother—two of my sisters are here, but not any brother—my younger brother is nine years of age—my sisters are older than me—my mother is living—she is not here—she dined at home with my father and brother that Sunday—she is at home, and she is distracted, poor creature.

Q. Now describe the dress of the man in the *cab?* *A.* I cannot tell his dress—he was not at all like Moss—I did not notice his dress—I think he had a great-coat on—I do not think he had a Macintosh over it—he had a hat—I cannot tell whether it was a light great-coat he had—I noticed his countenance more—I should not like to swear he had any great-coat—I did not notice his dress, but his countenance—I did not see him get out—I think it was about half-past eleven or half-past twelve o'clock—I generally went to my brother from eleven to one o'clock, before we dined—I will swear it was before one o'clock—I will not swear it was before twelve o'clock—it might have been half-past twelve o'clock—I am certain it was not one o'clock, because we generally dined about one o'clock, and I got

home some time before we had dinner—my leg was not injured, but hurt, by being kicked against—the man in the *cab* was a far older man than Moss—he seemed about sixty, I should think—I cannot tell what hair he had—he had grey whiskers—I did not notice that he stooped particularly—I did not hear his voice—I did not hear any thing he said—I did not see any body come out to him—the *cab* drove off as I went into the office—I did not go before the Magistrate—I was at home with my mother when my brother and father were charged before the Magistrate—the *cab* drove to the Minories.

COURT. *Q.* How came the man to get off the box when he was driving off? *A.* The *cab* was at the office door, and as I walked into the office it drove away.

MR. CLARKSON. *Q.* But the man would step on, instead of off, to drive away? *A.* The man was on the step of the *cab* talking to the person in the *cab*—he jumped down from the step of the *cab*, not off the box—I could not look inside the *cab* from the street, but I had a good view of the man—there was only one man, I am certain—I could see all inside the *cab*—the step was at the door of the *cab*—it was a low four-wheeled *cab*—I did not notice any boxes in it—I am quite sure there were no boxes in it—I cannot say whether the gentleman had a letter—my brother did not come out with him—he was in the office when I went in—the man was sitting in the *cab*—I think I should know the *cab*-man if I saw him—I was not before the Magistrates at all—the *cab*-man was a great big fellow, with red in his face—(*looking at the witness Moss*)—that is the man I know as Moss—he is well known to our family, and has been for some years—I should not take him for sixty years of age—I should say he is about thirty—my father was out on Monday night—I do not know what time he came home—I go to bed about eight o'clock, or between eight and nine.

Q. Do you know a man named Davis? *A.* Davis? no—I know several gentlemen of the name of Davis—I do not know Davis who lived in Coventry-court, and Oxendon-street—I do not know Mrs. Abrahams—I saw her when I went into Newgate to see my poor father—I went into Newgate to see my father the day he was committed—I knew the day he was tried—I did not come forward as a witness—I do not know why.

Q. Who brought you here to-day? *A.* I came myself—I have not had a subpœna—Mr. Robinson told me to come—Mr. Robinson did not examine me before I came here—nobody examined me before I came here—I told Mr. Robinson as nearly as possible what I had to say, a few days since—I think Monday week—that was the first time Mr. Robinson knew it—I did not tell him—I had told my brother previously, and it was written down—I do not know who wrote it down—I believe it was enclosed in the brief—Mr. Robinson read it to me, and asked me if I knew every part of that.

Q. When, for the first time, did you tell this to Mr. Robinson? *A.* I mentioned about the *cab* directly I got home—I believe it is in the brief—I think I first told Mr. Robinson on Monday week—that was the first time I saw Mr. Robinson about it—I cannot say it was Monday week—it was one day in the last week—that was the first time I saw Mr. Robinson—Mr. Yates was my father's attorney at the last trial—he knew it—I did not tell him.

Q. How do you know he knew it? *A.* The circumstance of the *cab* I ed when I got home, every body knew it.

Q. How do you know Mr. Yates knew the circumstances you have come to tell to-day? *A.* I have told him—I have been to Mr. Yates's—I did

not tell him formally all I had to say, but I told him about the *cab*—I told him it was not Moss who came in the *cab*—that was before my father was tried—I did not see him take it down in writing—I went to Mr. Yates with my mother and sisters—my mother went to consult him and take him money for counsel—I was not brought here when my father was tried.

Q. Now, consider. *A.* I was here—I was in the yard the first day—I think I was not here the second day—I am afraid of swearing it—swearing is an awful thing for a boy like me—I might have been here on the second day—I think I was, on an errand to Mr. Yates—I was here on messages to Mr. Yates often—I do not think I was here the third day—I was not here every day of the trial—I was away two or three days—the third, fourth, and fifth days, I think, but when I was here I only came on an errand to Mr. Yates.

Q. On your solemn oath, were you not here waiting to be called as a witness? *A.* No, I was not—I never gave my evidence ready to be examined as a witness—I was not desired to be here.

MR. JONES. *Q.* Had you stated to Mr. Yates what you had said to your brother about his being at home? *A.* I merely stated the circumstance, and have said how cruel it was to say so and so about my brother, when I knew the contrary.

Q. Were you willing to come forward as a witness on the last trial, to state this if asked to do it? *A.* A place like this I was almost afraid of coming to, but on it being represented it was useful to my brother, I could not refuse to come.

Q. On your solemn oath, is what you have said about your brother being at home, true or false? *A.* Most certainly it is true—I would not swear a falsity—my poor mother is not in a state to come forward—Mr. Robinson has very recently been engaged as attorney for my brother, instead of Mr. Yates—we have a servant named Sarah Cox—she and my sisters were all at home on the Sunday and Monday, at the time I have mentioned.

Q. Do you happen to know whether it was left to counsel on the last trial, whether they thought right to call witnesses or not? *A.* It was left to counsel entirely—my brother wished me to be called on the last trial, and now he has insisted on it.

ELLEN CASPAR. I am the prisoner's sister. I remember Sunday the 24th of March last—my brother was in the habit of getting up late on Sunday mornings, sometimes at ten, and sometimes ten or eleven o'clock—on Sunday, the 24th of March, he got up between eleven and twelve o'clock—I remember his coming down stairs that morning about that time—he breakfasted after he came down—I remember a man named Wilson, a clock-case maker, calling that day to see my brother—I think he called before twelve o'clock—it was after my brother came down—he had some conversation with my brother—I do not recollect upon what subject—he left about three o'clock—the dinner cloth was being laid while he staid there—dinner was brought up while he was there, I think—he did not dine with us—he went away before dinner—the servant I remember, in laying the cloth, had to ask him to move, in talking to my brother, to enable her to lay the cloth—my brother dined with the rest of the family that day—he went out in the evening, about five o'clock—I can undertake to say he did not leave the house earlier than between four and five o'clock, and that he was there from one to two or three o'clock—he was not out

till between four and five o'clock in the evening—my brother Edward and he slept together—the prisoner had supper at home that Sunday night—we usually supped between eleven and twelve o'clock, about eleven—he came home early—I remarked his coming home particularly early that evening, but I do not know the hour—we went to bed at the usual hour that night—next morning, Monday, the 25th, he came down stairs a few minutes before nine o'clock.

Q. Do you remember whether there was any thing particular to require his coming down stairs? *A.* Yes, his boot-maker called that morning, and was waiting for him to have an answer about his boots, which he had brought home on Saturday night—when he came down he spoke to the boot-maker—he said he had not time to wait a moment—he came down with his coat over his arm, and his slippers on—he breakfasted at home that morning—he went out just about nine o'clock.

COURT. *Q.* Then he only came down a few minutes before nine o'clock? *A.* He came down just before nine o'clock, but very often he used to take a cup of coffee and run away—he did so that morning—he went away in a great hurry—it might be a few minutes before nine o'clock when he left, but it was on the stroke of nine—my brother Edward was in the habit of taking him a lunch every morning—he generally took it about ten or eleven o'clock, but sometimes it was not so exact—I remember my father coming home on Monday evening perfectly well—he came home from eleven to half-past eleven o'clock, but not later—I am quite sure of that—he went to bed with the rest of the family—I was ready on the last trial to state what I have now—I had stated it to Mr. Yates, my brother's attorney.

Cross-examined by MR. BODKIN. *Q.* Were you here in attendance during the trial? *A.* No, not on any of the days—I was at home—my father was at home with my brother on the Sunday, talking to the said Mr. Wilson—I did not know that my father was said to be in another place on that Sunday—I knew he was described to be at Moss's house on Sunday—I knew he was at home.

Q. Why was it you did not come here to state it in the last case? *A.* Because the counsellors did not think it necessary witnesses should be called, I understood—Mr. Riddington is the master boot-maker's name—I do not know where my brother Edward was when the man called from Mr. Riddington—the man waited in the parlour—my sister showed him in—I was there—I called my brother for him—I went and told my brother that Riddington's man was waiting for him—he came down on that, and went into the parlour to the man—that is the room he used to take his breakfast in—he did not talk to the man while he was having his breakfast.

Q. Did he take any breakfast? *A.* He took a cup of coffee, as well as I can recollect, but he was very late that morning—he merely swallowed a cup of coffee and went out almost as soon as he got in the parlour—he told the man he could not wait to try them on that morning, and then left the house I think while the man was there—I did not see my brother Edward go out with the lunch that morning—I did not give him the lunch—we sometimes breakfasted before my brother—sometimes we breakfasted earlier than he rose—on that morning we were breakfasting when he came down—the family were sitting at breakfast when he came down—myself, my mother, and Edward—we were having breakfast together—being late that morning, breakfast

was nearly done when Riddington's man came—Edward and all the family were sitting at breakfast when I went up stairs to call my brother—I left them at the breakfast-table, but I must name to you, that we did not breakfast in the parlour where Riddington's man came in, but in another parlour.

MR. JONES. *Q.* Was Edward at breakfast with you and the family that morning? *A.* Yes—I did not take any notice of what passed between my brother and Riddington's man—at least I do not think he satisfied the man, he had not time to answer him—I was not at home in the middle of the day on Monday—I saw my father on Monday morning—the latest time I saw him on Monday morning was between ten and eleven o'clock, I think—he was in the habit of attending to the shop throughout the day, unless he had occasion to go out.

COURT. *Q.* What is his shop? *A.* A clock and watch manufactory—my brother sometimes has a sandwich for his lunch, or sometimes bread and cheese, any thing there was—he did not take it with him—Edward used to take it to him—he very seldom took it himself—he used to say he would do without any, but we nearly always used to send him lunch, and we used to send it as early as we could to him—John-street is about twenty minutes or a quarter-of-an-hour's walk—we sent every day—he never took it himself—it was sent wrapped up in paper.

MR. JONES. *Q.* Was the lunch generally sent by his direction, or through the anxiety of your mother? *A.* Through the anxiety of my mother, for fear he should be faint—he said there was no occasion for it, and that was the reason he did not take it himself.

GRACE CASPAR. I am the sister of Ellen Caspar. I remember Sunday, the 24th of March—my brother got up about eleven o'clock, or a little after—he and Edward slept together—he breakfasted when he came down that morning—while he was there Mr. Wilson called to see him—he is a draughtsman, and a clock-case maker—it was between twelve and one o'clock, about half-past twelve o'clock I think, when Mr. Wilson called—he remained till the dinner cloth was laid, which was between three and four o'clock—he went away before we dined—from eleven till three o'clock, when Mr. Wilson left, my brother did not leave the house—he was not dressed to leave home till after—he dined with us that day, and waited till five o'clock—he agreed to wait for Mr. Wilson till five o'clock, and if he did not call about five o'clock, he was to go out without him—it must have have been after five o'clock when he went out—I cannot recollect his coming home that evening—I do not remember having supper that night—I went to bed before supper—my brother might have returned before I went to bed—he generally supped with us—my father got up the same time as usual on Sunday morning—he breakfasted with us—we breakfasted at eight o'clock that morning—my father did not go out before dinner that day—he was also engaged with Mr. Wilson—I will undertake to say positively my father was at home between one and two o'clock that day—I do not remember any body calling to see my brother on Monday morning, but the shoemaker, who lives opposite—the man's name is Allen—the master is Mr. Riddington—Allen called about nine o'clock, a few minutes before or after nine o'clock—my brother came down to see him—he had his slippers on when he came down, and his coat thrown over his arm—he spoke to the man, and tried the boots on—I cannot say whether they fitted him, because I went out of the room—I came into the room a few minutes after—I saw him with the boots, whe-

ther he did try them on I cannot say—he spoke to the man about them—the man did not remain long—my brother breakfasted after he had done with the man—he went out as near as I can recollect, at a quarter after nine o'clock, a few minutes more or less—it was past nine o'clock I am positive—his usual time for breakfast was a quarter before nine o'clock—he used to tell the tradespeople not to call after nine o'clock—he was rather later than usual that morning.

Q. On the Sunday, do you remember whether your father was at home? *A.* Yes, he was at home—he did not go out at all on Sunday—he was at home on the Monday, except going to his work-shop, which is a few doors off—he was only absent a few minutes—he did not go out for any length of time in the day time—he was at home as late as twelve or one o'clock—he had not gone out before that on Monday—Sarah Cox was our servant at that time.

Cross-examined by Mr. Clarkson. *Q.* Have you the same servant now? *A.* Yes, she is here—I was ready to be called as a witness for my father when he was tried—I have known Moss by sight a long while—I cannot say how long—six or seven years, as long as I can recollect—I do not know where he used to live—I might have been at his house—I am not sure—I might have taken a job there for my father—I have not been often—I have not been six or seven times, nor four or five—I think I have been once or twice—it was in New-street, Whitechapel—it is somewhere about two years ago that I went there—my father was at home all Sunday—he did not go out at all on Sunday—not in the evening—I knew that when he was being tried, and I knew he was charged with being at Moss's house on Sunday.

Q. You never came forward? *A.* We expected we should have to come, but were not called—it was about nine o'clock when my brother got up on Monday—that was later than usual—we breakfasted at the usual time that morning, eight o'clock—we breakfasted down stairs in the kitchen that morning, not in the back or front-room—we breakfasted between eight and nine o'clock—Riddington's man came about nine o'clock, after we had breakfasted.

Q. After the breakfast things were all done? *A.* Yes, they might have been—it was after we had done breakfast—the things were gone—he was shown into the parlour even with the shop—he did not wait many minutes—I told my sister, and she called my brother—I told her as soon as Allen came, and she went and called him—he came within a very few minutes—our breakfast was over at the time I sent my sister to call him, but he did not breakfast with us—when he came down he went to Allen—I staid in the back-room a little time, while he was talking with the man about the boots—I cannot say where my brother had his breakfast—if he had it it must have been after Allen was gone—he breakfasted I know—he usually had toast and coffee—he might have had that that morning—I believe he did breakfast that morning—it was there for him, and he sat down to breakfast—I do not know how long he was at breakfast—I suppose about a quarter of an hour, he might have been—he was in his slippers when he came down stairs—he went out in boots—he put on his boots in the parlour—I cannot say whether that was before or after breakfast—I saw him try on his new boots—he was talking to the man about them about ten minutes—he went and had his breakfast after that in the kitchen—he was called down to Riddington's man—if he had been down at his usual

time we should not have had to call him—my father breakfasted with us that morning in the kitchen—Mr. Wilson merely came in casually, and while there he drew some patterns of clock-cases—he agreed to come to my brother at five o'clock—I do not know what for.

MR. JONES. *Q.* Did you happen to see your brother take breakfast? *A.* His breakfast was there, I am not sure he took it—I believe he did—I opened the door, and told my sister to call him—I do not know that anybody went up stairs to call him—we called at the stairs to him, and he came down—Edward might be there—very likely he was, he was in the house.

SARAH COX. I live with Mrs. Caspar, and have done so fifteen months—I was there in March last year—the prisoner was in the habit of getting up very late on Sunday mornings, between eleven and twelve o'clock in general—I remember Sunday, the 24th of March, he got up about eleven o'clock that morning—he had his breakfast at home—he breakfasted when he came down stairs by himself—Edward slept with him—I remember Mr. Wilson, a clock-case maker, calling to teach him drawing in the clock-cases—he called about half-past twelve o'clock—he remained till between three and four o'clock, the time I was going to lay the dinner-cloth—I am quite certain the prisoner had not left the house that morning up to that time—I cannot recollect whether his father had—he was there while Mr. Wilson was there—I do not know whether he went out before Mr. Wilson left—I was in all parts of the house—the kitchen was my place—they were in the parlour—Mr. Caspar was at home when Mr. Wilson called, and when he went away—he dined at home that day—the prisoner went out at five o'clock—I remember his coming home—I do not exactly know the time—he supped at home, and went to bed at the usual time—I do not remember any one calling to see him next morning—he came down at nine o'clock, or a few minutes to nine.

Q. Did he speak to any body when he came down? *A.* He spoke to the bootmaker—the bootmaker called to see him—I thought you meant a gentleman—the bootmaker's journeyman called about nine or ten minutes to nine o'clock,—the prisoner came down, with his coat hanging over his arm, and his slippers on—he spoke to the bootmaker in the parlour for a few minutes, and the bootmaker went away—the prisoner left the house after breakfast—after the bootmaker was gone he had breakfast, and left the house—I should say it was half-past nine o'clock when he left—I am sure it was after nine o'clock—he generally used to go a little after nine o'clock—he went about the usual time that morning—on Tuesday and Friday mornings he used to go out early—when vessels were going off he went about seven o'clock—I remember seeing Mr. Caspar, my master, that morning—I do not remember whether he went out at all that morning—I saw him there at breakfast, between eight and nine o'clock, and I saw him there after breakfast—he dined at home—he was at home from breakfast to dinner-time—they dined about two o'clock—I am sure he did not go out from breakfast to dinner-time—he went out in the evening, I cannot say the exact time, it was getting candle-light—he came home between eleven and twelve o'clock in the evening—he had supper at home that night, and went to bed—it was some time between eleven and twelve o'clock when he came home—we were all up stairs and in bed at twelve o'clock—the clock struck twelve as I was going up stairs.

Cross-examined by MR. BODKIN. *Q.* Where did the family usually breakfast? *A.* In the kitchen—the door is not one which people come to without knocking—I did not answer the door when the bootmaker's man came—one of the family did—I was in the passage sweeping—some of the family were in the parlour, and some in the kitchen—I do not know what those in the parlour were doing—they had breakfast in the kitchen—the bootmaker came while I was in the passage—he was asked into the parlour by the person who let him in—I do not recollect who let him in, I believe it was one of the daughters—I did not go up stairs to tell the prisoner the bootman was come—one of the daughters did—he came down directly—his coat was hanging over his arm—he had slippers on—I was in the passage when he came down—I undid the parlour door—I went into the parlour—he tried on the boots, and spoke to the man about them—I do not know what he said—the bootmaker's man went away—I do not remember who let him out—I recollect the prisoner then going to breakfast in the kitchen—he had coffee—he took his breakfast, I know—that occupied about a quarter of an hour, and then he went out.

ALFRED WILSON. I am a clock-case maker, and live at No. 19, King, street, Clerkenwell—I am not a housekeeper, but a lodger—I have lived there two years and better. I knew the elder and younger Mr. Caspar—I remember calling at Mr. Caspar's house on the 24th of March last—I was there about ten minutes after twelve o'clock—I saw the elder Caspar and the younger one, and the young son and the daughters—I had some conversation with them—I was there till after three o'clock, till their table was laid for dinner, and then I left.

Q. What were you doing from twelve till three o'clock? *A.* I was drawing clock-cases, little patterns in a book, for the elder Mr. Caspar to use as a pattern-book, and for the instruction of young Edward Caspar—when I first went the elder Mr. Caspar was in the shop, doing something to a watch—I went into the back parlour behind the shop, told him my watch was bad, and I had called, agreeable to promise, to give his son a lesson in drawing—I staid there I dare say three quarters of an hour, and while I was waiting there the prisoner came down, and made some remarks on my drawings, and pointed out something I should corrcet in them—I had not seen the prisoner till then—he was not dressed, he had his coat off—it must have been past half-past twelve when I first saw him that morning—I left about three o'clock.

Q. Were you in company with him from the time you first saw him till you went away? *A.* I was in company with him when he came down first, then he went up stairs again, and came down and staid with us nearly an hour before I came away—I can swear he was in the house from one to two o'clock that day—I cannot say whether he had any breakfast after he came down—the elder Mr. Caspar was with me all the time I was there, and was repairing my watch—I can swear that he was in the house from one to two o'clock—the prisoner very much pressed me to come at five o'clock, and he would wait at home for me, and I was to finish a drawing, and take it with me—he has often purchased clock-cases of me, and paid me for them—I cannot say whether he learned the watch trade or not—I had called at the house on other Sundays—I have seen the prisoner very much about the same time on several Sundays when I have been there, and I have seen him up very early on Sunday also.

——— RIDDINGTON. I am a bootmaker, and live at No. 15, Finsbury-place North, very nearly opposite Mr. Caspar. I made the prisoner two pairs of boots—I remember Saturday, the 23rd of March last, I have it down in my book—I sent him some boots that day—I sent Allen to the prisoner about them on Monday morning, from half-past eight to nine o'clock—he returned to me with a message between half-past eight and nine o'clock—I am positive as to the time.

——— ALLEN. In March last I was in the employ of Mr. Riddington. I remember taking a pair of boots home to the prisoner on Saturday, the 23rd of March—I went to him on Monday morning—it was within a few minutes of nine o'clock—I saw his two sisters, and afterwards saw the prisoner come down stairs—he had on a pair of dark trowsers, and was in his shirt sleeves, and a pair of morning slippers—I had a little conversation with him about the boots, for to the best of my recollection the boots did not fit him—to the best of my recollection I took them away, and returned to my master's shop—I suppose I remained in the house about five or six minutes—I was shown into the parlour at the back of the shop.

COURT. *Q.* What makes you recollect the 25th of March in particular? *A.* It was the morning the robbery was committed—I cannot exactly say how soon after I heard of it—I do not know that I heard of it the same day, but very soon after.

Cross-examined by MR. CLARKSON. *Q.* Were you here as a witness at the trial of Ellis Caspar? *A.* No, I was called on by the Caspar family—I did not refuse to come, but I was not subpœnaed, so I did not come—I know of no other reason why I did not come.

MR. CLARKSON *to* MR. RIDDINGTON. *Q.* Were you here on the last trial? *A.* No, I was not subpœnaed—I was not asked to come—I had not given my evidence to any body—I had not seen Mr. Yates, the attorney—I would have come if I had been called on to come.

MR. JONES *to* ALLEN. *Q.* Would you have come if you had been asked to come? *A.* Yes—I was requested to go to Mr. Yates before the last trial, and stated what I have to him.

Q. Do you know of your master having made an entry in his book of the time the goods were sent? *A.* Master says he put it down in his book, but I recollect very well the day of the month.

GUILTY. Aged 24.—Transported for Seven Years.

NEW COURT.—*Friday, March 6th,* 1840.

Sixth Jury, before Mr. Common Sergeant.

910. RICHARD NUTTER was indicted for stealing, on the 1st of March, 2 pairs of trowsers, value 3*s.*; 1 pair of boots, value 6*d.*; 6lbs. weight of soap, value 3*s.*; 4lbs. weight of sugar, value 2*s.*; and 1lb. weight of candles, value 6*d.*; the goods of William Crosby, in a vessel, in a port of entry and discharge; to which he pleaded

GUILTY. Aged 64.—Confined Six Months.

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911. MARGARET BURNS was indicted for stealing, on the 25th of February, 1 cloak, value 12*s.*, the goods of Frederick Lindner; to which she pleaded

GUILTY.* Aged 46.—Transported for Seven Years.

912. ANN JONES was indicted for stealing, on the 2nd of March, 1 pair of boots, value 2*s.* 6*d.*, the goods of Nathaniel Blake; to which she pleaded

GUILTY.** Aged 69.—Transported for Seven Years.

913. EDWARD FRANCIS DELLER was indicted for stealing, on the 21st of February, 6 deal planks, value 1*l.* 6*s.*, the goods of William Haden; to which he pleaded

GUILTY. Aged 29.—Confined Three Months.

914. JONATHAN FULLILOVE was indicted for stealing, on the 20th of February, 46 stereotype plates, value 7*l.* 10*s.*, the goods of Thomas Stanley; to which he pleaded

GUILTY. Aged 20.—Confined Five Days.

(The prosecutor engaged to take him into his service.)

915. WILLIAM BUTLER was indicted for uttering counterfeit coin; to which he pleaded

GUILTY. Aged 16.—Confined Two Months.

916. MICHAEL MULLINS and PATRICK WALSH were indicted for a misdemeanor.

THE HON. MR. SCARLETT and MR. ESPINASSE *conducted the Prosecution.*

THOMAS OLLEY. I am a dairyman, living in Bryanstone-street, Marylebone. On the 25th of February, about seven o'clock in the evening, the prisoner Mullins came into my shop—my wife served him—after he came into the shop my wife brought me a bad sixpence—I went into the shop—the prisoner was still there—I said it was a bad sixpence, taking it out of my hand, and giving it to him—I said, "Are you not going to take the butter?"—he said, "No, I have no more money about me or upon me"—he went away—I followed him—he turned round into Quebec-street, and then into Oxford-street—soon after he joined a second person, who was similar to Walsh—I could not swear to him, I only saw his back—they went down Oxford-street, through Portman-street, on to Lower Seymour-street—there I saw Mullins go into Conrath's shop, and purchase some bread—he gave some money, but what I do not know—he took something like change—Walsh walked down the street—Mullins came out, went after him, and joined him—they went through a court into Marylebone-lane, and walked up and down each side of the street, sometimes together and sometimes separate—the other man went into a public-house in High-street, Marylebone, and Mullins went into a baker's shop, purchased some bread, and took something like change—he then went into the public-house where the other man had gone—I went to Mrs. Daw's, the baker's—she showed me a bad sixpence—I took it into my hand, and returned it to Mrs. Daw—I saw a policeman, and went into the public-house where I had seen the two prisoners go in—I found them there together—I saw them searched, and in Walsh's cap were eleven sixpences, which the policeman took.

CATHERINE CONRATH. I am the wife of Henry Conrath, a baker, in Lower Seymour-street. On the 25th of February, Mullins came into my shop and asked for a penny loaf—I served him, and he gave me 6*d.*—before I gave him change I noticed its being very smooth, and having a black spot on the edge—I gave him change, and put the 6*d.* in the till—almost directly after he was gone, Olley came in, from what he said I was induced

to open the till, and found the sixpence, which I knew again—it was lying on two shillings—there were other sixpences underneath it, but they were very different from that—that is the one I received from the prisoner—I am quite sure Mullins is the man, but he had a red handkerchief on then.

HANNAH DAW. I am the wife of George Daw, a baker, in Great Marylebone-street. On the 25th of February, the prisoner Mullins came to my shop between seven and eight o'clock—he asked for a twopenny loaf of bread, which I gave him—he gave me a sixpence in payment—I gave him change—I put the sixpence on the edge of the till—there was another sixpence at the far end of the till—after the prisoner left the shop, I saw Olley, and I gave him the sixpence that I had taken from Mullins—he returned it to me, and I kept it in my hand till I showed it to my husband.

ANDREW JOHNSTON (*police-constable D* 108.) I was on duty on the 25th of February—I saw Olley, and from what he said went to a public-house called the York Arms—I saw the two prisoners sitting in the tap-room at a table, one on each side—they had a pot of beer and some victuals before them—I said to Walsh, "How about the sixpences?"—he said, "What sixpences? I have got no sixpences"—I said, "I think you have, and I think some of them are bad"—he said, "No, indeed, I have no money at all about me"—I said, "Stand up, let me look"—he hesitated a little, and then stood up—I found eleven counterfeit sixpences in his cap—these are them—(*producing them*)—I have kept them ever since—I searched the other prisoner, and found this small piece of metal on him—I took them to the station-house—on the way Walsh made a struggle to escape—I received this bad sixpence from Mrs. Daw.

MR. JOHN FIELD. I am inspector of coin to the Royal Mint—these sixpences are all counterfeit, and all cast in one mould—this piece of metal is similar to what the sixpences are made of.

Mullins's Defence. I was coming home from work, and Walsh picked this money up—I asked him for it, and he gave me one—I went in this man's shop, and he would not have it—I did not know it was bad—I never had one in my life before.

Walsh's Defence. In coming down the street I picked up this money in a cloth—Mullins was after me—he said "What is that?"—he took one of the sixpences, and said he would get it changed.

MULLINS—GUILTY. Aged 26.
WALSH—GUILTY. Aged 27. } Confined Six Months.

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917. GEORGE WILLIAMS was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ESPINASSE *conducted the Prosecution.*

ORLANDO EVANS. I am clerk to Mr. Gawtress, a printer, in Fleet-street. On the 7th of February the prisoner came to our shop, and purchased a "Watchman" newspaper—I served him—he gave me half-a-crown—I gave him change—he went away—I put the half-crown into my desk, and kept it there until the 22nd, when I gave it to Baylis—I am quite certain, the one I gave to him was the one I received of the prisoner—on the 22nd of February, the prisoner came again for a "Watchman" newspaper—I served him—he gave me a bad half-crown—I then called a person of the name of Cubitt—I showed it him, and gave it into his hands—he returned it to me—I showed it to the prisoner, and asked him if he recollected the half-crownh e had given me on the 7th of February—he

said he did not—I asked him if he knew the one he had just given me—he said he did not—I showed it him—he did not say any thing to that—I went for a policeman, and gave him into custody—I gave both the half-crowns to Baylis, and marked them in his presence.

RICHARD JOHN VICARS CUBITT. I am shopman to Thomas Riley, who lives in Fleet-street. On the 22nd of February, I heard Mr. Gawtress's office bell—I went down, and saw the prisoner—I had seen him before on Friday the 7th—I could swear to him—I received a half-crown from Evans—I looked at it, and returned it to him again—I charged the prisoner with being there before—he denied it.

THOMAS BAYLIS (*City police-constable, No.* 177.) I produce two half-crowns, which I got from Evans—these are them.

MR. JOHN FIELD. I am an inspector of coin to the Royal Mint. These are both counterfeit, but not cast in the same mould.

GUILTY. Aged 19.—Confined Six Months.

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918. ANN BROWN was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ESPINASSE *conducted the Prosecution.*

STEPHEN DIXON. I am servant to Mr. Smith, a butcher in Fenchurch-street. On the 26th of February, about five o'clock in the afternoon, the prisoner came and purchased a small piece of meat which came to 4*d.*—she gave me a bad half-crown—I asked her if she had another—she said, "No"—I gave her into custody to Wreford—I gave him the half-crown—it had not been out of my possession.

WILLIAM WREFORD (*City police-constable, No.* 153.) Dixon called me to his master's shop—I took the prisoner into custody, and got this bad half-crown from Dixon—I took the prisoner to the station-house—in going there, we passed through Mincing-lane, and I heard something like the jingle of money falling down a gentleman's area—I taxed her with it—she denied it—I marked the place, and took her to the station-house—I went back to the place, rang the bell, and saw Mrs. Thompson—I told her something, and she brought me this half-crown, which I saw her pick up—the prisoner gave her residence at No. 7, Church-street, Bethnal-green—I made inquiries, and no such person lived there.

MARY ANN THOMPSON. I am servant to Dr. Hunter, in Mincing-lane. On the 26th of February, Wreford came to the house, and in consequence of something he said, I went into the area, and found a bad half-crown—I gave it to him.

MR. JOHN FIELD. These are both counterfeit, and both cast in one mould.

GUILTY. Aged 25.—Confined Six Months.

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919. HANNAH CROWLEY was indicted for a misdemeanor.

THE HON. MR. SCARLETT *and* MR. ESPINASSE *conducted the Prosecution.*

RICHARD BEASLEY. I am a cheesemonger, and live in Lisle-street, Leicester-square. On the morning of the 29th of February, the prisoner came to my shop about ten o'clock, and asked for some bacon—it was 6*d.* a lb.—she offered 5*d.*—I did not accept it—she went away and came again afterwards, and said she would take it at 6*d.*—I sold her three quarters of a pound, which came to 4½*d.*—she gave me half-a-crown—I gave her 2*s.* 1½*d.* change—I then bit the half-crown, and put it into my pocket, where there was no other money—I kept it there till night—I gave it to the officer—I am quite sure it was the same—she came again about ten o'clock at night,

and purchased four eggs at ½*d.* each—she offered me her hand, which had one penny and one shilling in it—I fastened her hand, knowing her to be the same person, and gave her into custody.

THOMAS HARDWICK (*police-constable C* 96.) I took the prisoner, and received this half-crown from Mr. Beasley—I asked the prisoner to open her mouth—she refused—I tried to open it with the handle of a spoon, but could not succeed—I took her to the station-house, and saw her pass her hand from her mouth—I seized her arm, and the Inspector opened her hand, and found a shilling.

HENRY BERESFORD. I am a police Inspector. The prisoner was brought to the station-house, about ten o'clock at night—I searched her, and endeavoured to open her mouth—she put up her hands, and opened her mouth—I seized her hand, and found this shilling.

MR. JOHN FIELD. I am Inspector of coin to the Royal Mint. These are both counterfeit.

Prisoner's Defence. I took the shilling of a woman in Leicester-square.

GUILTY. Aged 52.—Confined Six Months.

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920. ANN WILLIAMS was indicted for stealing, on the 22nd of February, 2 shirts, value 14*s.*, the goods of James Beane, her master; to which she pleaded

GUILTY.—Confined Six Months.

(There was another indictment against the prisoner.)

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921. JOHN LEFEVRE was indicted for stealing, on the 10th of February, 3 saws, value 11*s.*; 8 screw-drivers, value 4*s.* 6*d.*; 1 pair of dividers, value 2*s.* 6*d.*; 2 pairs of pincers, value 3*s.*; 2 oil-stones, value 4*s.* 6*d.*; 1 plane, value 3*s.*; 2 chisels, value 3*s.* 6*d.*; and 1 bit, value 1*s.*; the goods of Thomas Daniel Legg Goozee: 1 oil-stone, value 3*s.*; 1 square, value 1*s.* 6*d.*; 1 spoke-shave, value 1*s.*; 2 gimlets, value 8*d.*; 3 bradawls, value 6*d.*; 7 chisels, value 5*s.*; 1 pair of compasses, value 6*d.*; 1 punch, value 4*d.*; 1 hammer, value 1*s.*; 2 screw-drivers, value 4*s.*; and 1 basket, value 2*s.* 6*d.*; the goods of Joseph James: 2 saws, value 8*s.* 6*d.*; 1 plane, value 5*s.* 6*d.*; 1 stock, value 2*s.* 6*d.*; 1 screw-driver, value 4*s.* 6*d.*; 1 hammer, value 1*s.* 6*d.*; 1 pair of pincers, value 1*s.*; 1 pair of compasses, value 9*d.*; 1 square, value 1*s.* 6*d.*; 4 chisels, value 4*s.*; and 1 basket, value 2*s.* 6*d.*; the goods of Nicholas James Johnson: and WILLIAM SEMONS, for feloniously receiving, on the 12th of February, 1 plane, part of the said goods, the property of Thomas Daniel Legg Goozee, well knowing it to have been stolen; against the Statute, &c.

THOMAS DANIEL LEGG GOOZEE. I am a carpenter and machine maker, in Brrown's-lane, Spitalfields. I had a lot of tools at Mr. Duff's, in Fore-street—they were safe on Saturday, the 8th of February, and on Monday morning two of my men came to me and said they were taken away—I found they were gone—this plane and screw-driver are mine.

Cross-examined by MR. PAYNE. *Q.* Where had you left these tools? *A.* On a bench at No. 16, Fore-street—I allow the men to work with a great many of my tools—I had used them myself on the Friday.

NICHOLAS JAMES JOHNSON. I was at work at No. 16, Fore-street—I left there on Saturday, the 8th of February—I did not lock the door—all my tools were then safe in a basket—none of them are found.

JOSEPH JAMES. I was at work at this place—I saw my tools safe on

the 8th of February—I left them on the bench—on Monday all my tools were gone—only a hammer has been found.

Cross-examined by MR. PAYNE. *Q.* When had you seen these tools safe? *A.* Five minutes past eight o'clock on the Saturday evening—I can swear to this hammer from the face and head, and my having used it—I am quite certain it is mine.

MARY ANN GILES. I am the wife of John Giles, and live in Church-street, Mile-end, New Town. I let a furnished lodging to the prisoner Lefevre on the 7th of February—none of this property was there when I let the lodging—he staid about five days—I do not know the other prisoner.

Cross-examined by MR. PAYNE. *Q.* He was taken into custody on the 11th? *A.* Yes—I let the room to him himself—I do not live in the house myself—there were several other people living there—his wife lived with him in the same room.

GEORGE TEAKLE, (*police-sergeant H.* 8) From information I went on the 12th of February to Well-street, where the prisoner Lefevre lived—I found him in the back room, on the ground floor, sitting with two men and a female— I said I was come to apprehend him—I looked about, and underneath the bed I found fourteen skeleton keys and two common door keys, in a bag—I then took him to the station-house—on the way he said, "Do not show them, if you do they will give me a *drag*"—I went back to the room, and in the same box where the bag was I found this screw driver; and in a table drawer this hammer; and in the cupboard this carpenter's basket—in consequence of further information, I went on the evening of the 12th to Semon's house, in King-street, Brick-lane; he keeps a marine store shop—he was in the parlour in company with his wife—I said I had received information that he had a quantity of tools in his house which were stolen—he said, "I have no tools whatever"—I said, "If you have, produce them at once," and I asked him if he had any objection to my looking in his shop—he said, "No"—I looked in a bin in the shop, and found this plane—Mr. Goozee, who was with me, said, "That is mine, I can swear to it"—Semons said, "No, it is mine, I have had it for months—I can swear to it"—the prosecutor pointed to his name on the plane and said, "What do you call that? I have the stamp of it at home;" to that Semons made no reply—his wife then came forward and said, "No, that is a plane a boy brought in last night, it is not his," and some words were said about his calling again, but what I cannot say—I found no more tools—I then took him to the station-house.

Cross-examined by MR. PHILLIPS. *Q.* Do you know Semons yourself? *A.* Yes; I know no harm of him—he has not been there long.

Cross-examined by MR. PAYNE. *Q.* Was it after Lefevre had been locked up that you found the tools in his room? *A.* Yes; I found the keys when I took him.

LEFEVRE—GUILTY. Aged 24.—Transported for Seven Years.

SEMONS—NOT GUILTY.

(There was another indictment against Lefevre.)

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922. JOHN WILES was indicted for stealing, on the 5th of March, one handkerchief, value 2*s.*, the goods of Abraham Wilde Robarts, from his person.

ABRAHAM WILDE ROBARTS, Esq. I was passing through the Strand about half-past eleven o'clock yesterday morning—I had occasion to use my handkerchief, and I then put it into my great-coat pocket—almost im-

mediately after the prisoner brushed by me very sharply—I put my hand to my pocket and missed my handkerchief—the prisoner crossed the street and I ran after him, and never lost sight of him—he got some distance from me and I called out "Stop that boy"—a postman who was turning a street stopped him—when I came up the postman had got my handkerchief in his hand—this is it—(*looking at it*)—it has my mark on it.

THOMAS BAILY. I am a letter carrier. I heard a cry from Mr. Robarts yesterday morning, and I turned and saw the prisoner running towards me—I stopped him—he begged me to let him go, and partly pulled this handkerchief out of his bosom and tried to throw it down—I took it and kept it till Mr. Robarts came up.

GUILTY. Aged 16.—Transported for Ten Years.—Penitentiary.

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923. JOHN STEVENS was indicted for stealing, on the 9th of February, one handkerchief, value 3*s.*, the goods of Thomas Allen, from his person.

THOMAS ALLEN. I am a pawnbroker, and live in Lower-street, Islington. On the 9th of February I was going over Blackfriars-bridge, from the City, and just as I got towards the Surrey side I felt a jerk, and my pocket was lightened—I felt and missed my handkerchief—before I could turn, a lad came across the road and asked me if I had not lost a handkerchief—I said I had—he told me he had seen the thief take the handkerchief from my pocket—I turned back and the prisoner was pointed out to me—I collared him—a person ran and told the policeman—the prisoner threw the handkerchief over the bridge, but it was found—this is it, it is mine—(*examining it.*)

Prisoner. Q. Did you see me? *A.* I saw you after I turned round—I cannot say I saw you take it—I was told you took it.

THOMAS BARNES (*City police-constable No.* 96.) On the 9th of February I was on duty, and a person named Griffiths came and told me something—I came and took the prisoner, and as he was crossing the road, he threw the handkerchief over the bridge—I called to a waterman to pick it up, and bring it to me—this is it—(*producing it.*)

Prisoner's Defence. I was returning from taking a walk—I saw three little boys—they looked very hard at me, and one of them threw down a handkerchief—a young man said to me, "There is a handkerchief"—I took it up—he said, "You are not going to have it"—I said I had as much right to it as he had, and I would *heave* it away, and I threw it over—I had an opportunity of running away if I had thought proper—I am not guilty of the charge—the lad Griffiths, who was against me, there is no doubt that he committed the robbery—he was afraid of coming forward, as he thought he should be accused of it.

GUILTY.† Aged 20.—Transported for Ten Years.

Sixth Jury, before Mr. Sergeant Arabin.

924. SIPPER ALI was indicted for stealing, on the 1st of March, 1 watch, value 2*l.*; 1 seal, value 10*s.*; 1 key, value 2*s.*; and 1 ring, value 2*s.*; the goods of William Cracroft.

(The prisoner, being a foreigner, had the evidence communicated to him by an interpreter.)

WILLIAM CRACROFT, Esq. I live in Norfolk-street. I was in a judicial situation in India under the East India Company, from which I have retired—I met the prisoner in the street about two months ago—he applied to me as being in great distress, I let him follow me home, I sent him into

my kitchen, and gave him some refreshment—he called on me on Sunday last—I then had my watch and seal and chain safe—I gave him half-a-crown—I went up stairs to wash my hands, and he went away—I missed these articles the next morning, and sent my servant to see for the prisoner—soon after, the prisoner called on me, and said he had taken these things by mistake, and he had left them at a shop where they would not return them to him—I went to the shop, and saw the property—the prisoner came to me again in the evening, and was taken—this is my property—(*looking at it.*)

Louis Kyezor. I am a clock and watch manufacturer, and live in Tottenham Court-road. Last Monday evening the prisoner came to me and said, "Mr. Kyezor, I want to sell this," handing me this gold chain and seal and key—I have known him three years—I said, "Where did you get this?"—he said he had brought them from Bombay with him—he said he wanted 7*l.* for them—I said, "Have you not a watch?"—he said, "No, I sold that five years ago, and the chain has been in pawn several times, and I have taken it out to-day"—he said they had lent him 5*l.* on it—I was going to weigh it, and he said it weighed two ounces and a half, which I found it did—I said, "The pawnbroker has given you the full value for it"—he said, "If I pawn it again, will you give me to-morrow 1*l.* on the ticket?"—I said, "No"—he came to me the next day, and said he would take 5*l.* for it—I said I would go to the pawnbroker with him, and if they would now lend him 5*l.* on it I would buy it—he then hesitated, and I said to him, "Now, I am convinced you stole it, and if you don't tell me the truth, I will give you in charge"—he then said, "I will tell you the truth, it belongs to Judge Cracroft"—I said if he did not go and fetch him I would give him in charge.

Prisoner's Defence. I did not give them to the shopkeeper—I took them to him to know if they were gold—does the prosecutor think I took them to steal, or by mistake?

GUILTY. Aged 28.—*Recommended to mercy by the Prosecutor.*—Confined Three Months.

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925. THOMAS WATSON was indicted for stealing, on the 20th of December, 24 files, value 1*l.* 7*s.*; the goods of John Morant Hervey, his master: and ANN COOK, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

Mr. Doane *conducted the Prosecution.*

William Reeve. I am a mill-wright, and live in Craven-street, City-road—I am foreman to Mr. John Morant Hervey—he is an iron-founder and smith, and lives in Brick-lane, St. Luke's. The prisoner Watson has been in his employ about three years—we have a great number of files, which pass through my hands to examine them and see if they are correct—I have lately missed a great number of them—the room in which Watson worked joined to the office in which the files are kept, and he had access to them if he thought proper—on the 20th of February the policeman came with Kellett, and Watson, whom I had seen there not three minutes before, made his escape out of the premises over a wall, and through some adjoining premises—I then went to a shop kept by Cowan, in Goswell-street, within five minutes' walk of the prosecutor's—Cowan calls himself a general dealer—he deals in files and all sorts of things—I found eighty-two files there—I looked at them, and these two I can identify—I know they

are my master's, and I believe the whole of them are his, and in addition to these eighty-two, Bee produced three more files which I believe to be my master's—I cannot tell which of these the prisoner stole on the 20th of December—I knew the female prisoner by her bringing Watson's dinner every day in a basket.

Cross-examined by MR. PAYNE. *Q.* They passed as man and wife, did they not? *A.* I believe they did.

Cross-examined by MR. THOMPSON. *Q.* What is there particular in these two files? *A.* One has been broken, and the point has been drawn up in a clumsy way—these have not been worked with since they have been re-cut—this one was used previous to being re-cut—it is not the habit of workmen to break off the end of a file—the tongue of this file has been broken off since it was re-cut—we never sell any files.

SOLOMON COWAN. I live in Goswell-street, St. Luke's. I remember the prisoner Watson coming to my house—I had some files exposed for sale at my door, and he came and said, "Are you in the habit of buying files?"—I said, "Yes, sometimes"—he said he was a file-cutter, and he was in the habit of having a great many at times—I said I would buy them if they suited me—about two days after, on the 3rd of December, he came, and brought two dozen of files with him—he asked 15*s.* a dozen for them—I said I could not give that, as they were re-cut; I could not give more than 10*s.* a dozen and I gave him 1*l.* for the two dozen—he gave me the name of "Cook, No. 12, Memel-street, St. Luke's"—I have no doubt the files now produced are part of what he brought—some time afterwards the female prisoner came, and brought two dozen of files of the same sort—she stated she came from her husband, and asked me to buy them, and I bought the two dozen of her for 18*s.*—I think that was about a fortnight after I had bought these of the male prisoner—she afterwards came again, and I bought two dozen more of her—she came again, and said she had some more, but I said I was full, and did not buy any more of her—I put them on the shelf, and on the 20th of February I was applied to—I gave up the files I received of the prisoners to the prosecutor and the officer.

Cross-examined by MR. THOMPSON. *Q.* When were these identical files sold? *A.* I cannot tell—I bought once of the man, and twice of the woman—I cannot identify any of them—it is probable some of the files now before me were sold on the 3rd of December.

JULIA COWAN. I am sister to Solomon Cowan. I remember the female prisoner coming with two dozen of files to my brother's—I paid her 18*s.* for them in my brother's presence—I had seen the male prisoner there about a fortnight before the woman came—he brought two dozen.

THOMAS KELLETT. I live in Noble-street, and work for Mr. John Morant Hervey, in file-cutting. In consequence of information, I went to Mr. Cowan's on the 19th of February, as I had lost some files—I found some that had my master's private mark on them—I picked out six or seven—I then got a policeman, and told him to take care of them—these are them—I have not the least doubt that they are my master's files—they were old ones, and cut at my place—I afterwards went to the prisoner's house—I saw the female prisoner there, and three files were on the table, which the policeman took possession of—I knew they were Mr. Hervey's.

Cross-examined by MR. THOMPSON. *Q.* How do you know that these files were taken from you? *A.* I was two dozen files short, and I sent

two dozen out of my own cupboard to make up Mr. Hervey's, and these are some of them.

DAVID PEARSON. I work for Mr. Hervey. I saw the policeman come into the yard, and Watson said, "For God's sake, where shall I hide? it is on a warrant;" he then got away over the wall.

WATSON—GUILTY. Aged 40.—Transported for Ten Years.

COOK—NOT GUILTY.

(There were two other indictments against Watson.)

926. ANN COOK was *again* indicted for stealing, on the 2nd of January, 24 files, value 1*l.* 7*s.*, the goods of John Morant Hervey.

MR. DOANE offered no evidence. NOT GUILTY.

NEW COURT.—*Saturday, March 7th*, 1840.

Sixth Jury, before Mr. Common Sergeant.

927. JAMES DODDS was indicted for unlawfully, maliciously, and feloniously assaulting, cutting, and wounding George Martin in and upon the left side of his head and the left arm, on the 26th of February, at St. Leonard, Shoreditch, with intent feloniously, wilfully, and of his malice aforethought, to kill and murder him.—2nd COUNT, stating his intent to be to maim, disfigure, and disable him.—3rd COUNT, to do him some grievous bodily harm.

GEORGE MARTIN. I am a coffee-house keeper, living in Church-street, Shoreditch. The prisoner lodged with me for about eighteen months—he came home to my house on Tuesday, the 25th of February—I served him with his tea about four o'clock—I went to bed about eleven o'clock that night, and my wife came shortly afterwards—I am not in the habit of locking my room door, and did not lock it that night—I never lock it, on account of my son coming in in the morning to get the key to open the place—at a quarter before three o'clock on the Wednesday morning the prisoner came to my door, and awoke me by opening the door—he came in with a lighted candle in his left hand—as soon as he got in he closed the door, and rose his hand to me with a blow with a hammer which he had in his hand—before I could get time to speak to him, he struck the blow, which catched me on my head—I held up my hand to save my head—if it had not been for my hand, no doubt it would have caused my death instantly.

Q. Had you had any quarrel? *A.* Never had a word with him in my life—in striking the blow the candle went out, and I scuffled in my own defence, and in the scuffle we lost hold of each other—he then commenced beating my wife in bed with the hammer-handle—the top of the hammer had come off then.

Q. Was he in his right senses? *A.* I never knew any thing to the contrary, not the least symptom of it whatever—he struck my left arm —while he was in the attitude of striking my wife, I was feeling about for him I got hold of the hammer-handle, and struck him on the nose in my own defence—he then immediately seized the candlestick, and began to beat my wife, pulled the clothes all to pieces, and the child fell on the floor—my wife said, "Who is ill-using us in this manner?"—I said, "Dodds"—he used some words, and immediately made his escape to the door, and ran down stairs—as soon as I could, I made to the window, threw it up, and *sung out*, "Murder," and then I fell down

insensible, and was found insensible—I had some money in this room—we had three or four clubs in the house, and the money was in this room—the prisoner knew it well, as I wanted him to be secretary to these clubs—there was nearly 8*l.* altogether—I am quite positive it was the prisoner who did it—I was not alarmed in the first instance, because I expected my son, and I thought it was him—I happened to lay with my face towards the door, or nothing could have saved my life—I had sold a clock that Tuesday evening, and got 3*l.* for it—the prisoner knew I had sold it, but did not see the money paid—he was in the kitchen at the time the gentleman came in.

MARY MARTIN. I am the wife of George Martin. I retired to bed about twelve o'clock that evening—I was awoke early the following morning by the cries of my husband, crying out, "O Lord, I am murdered"—then the prisoner commenced beating me, with something that I could not see, but I supposed a hammer-handle and the brass candlestick, he tore me out of bed by my right arm, which I cannot use now—I screamed out, "Who is this?" and my husband said, "Dodds"—the moment the prisoner heard the name he opened the door, and ran through the club-room, as if his feet did not touch the ground, and flew down the stairs, and out of the street door—I screamed out for my son and the other lodgers—he called for Dodds, and I said it was Dodds *as* did it—I saw my husband's head, which had had a violent blow, and his arm also—I put up my hand to cover my head, and my hands and arms were covered with blows and bruises, and black.

THOMAS MARTIN. I am the son of the prosecutor. I was at home on this evening of the 25th of February—I saw the prisoner go to bed about half-past nine o'clock—I saw him take some lucifer-matches off the mantel-shelf that night, which I had never observed before—about three o'clock I was awoke by a noise down stairs—I could not tell what it was—I laid about five minutes, and then my mother came out of the club-room door, and called out to us—the other lodger was calling Dodds, and I said he was not there—my mother was calling out it was Dodds *as* did it.

BENJAMIN BRIGHT (*police-constable K* 324.) I was on duty on that occasion—about five minutes past three o'clock I was going past Mr. Martin's door, and saw three or four people—a brother officer came out, and said he was going for a doctor—I went into Mr. Martin's room—he was bleeding greatly on the left side of his head—he seemed quite stupid—I found the handle of the hammer by the side of the bed, and a slipper—a short time after I called in again to see how Mr. Martin was, and received this hammer-head from him—(*producing it.*)

THOMAS FOSTER (*police-constable N* 202.) I was on duty in the Kingsland-road, and met the prisoner, about a quarter-past three o'clock, on Wednesday morning, the 26th of February—I saw him start out of a doorway—he had neither stockings, nor hat, nor shoes on—I asked what he was doing there—he made answer, that he wanted to go to Smithfield—I asked him what he did for a living—he said, "Ballad-singing"—I asked him where his hat, and shoes, and stockings were—he said he had not any, he was destitute, and he wanted the Refuge for the Destitute—with that I told him I would find him a lodging, and took him to the station-house—on searching him, I found two keys, resembling skeleton keys, on him—I afterwards went to a cupboard in Mr. Martin's house, and there found another key resembling the first two.

BERNARD KIERMAN. I lodge at the prosecutor's. I was awoke a little after three o'clock, by the cry of "Murder"—I called out, "Dodds"—he was not in the room—he slept in the same room as me, and in the next bed—I called "Dodds" again, and then Thomas Martin said he was down stairs—I went down, and saw Mrs. Martin, calling, "Murder."

Prisoner's Defence. Thomas Martin says I took some lucifer-matches the previous night—there was nothing uncommon in that—I have often done so—I always have my own candle—I am not aware that I did strike the prosecutor.

GEORGE MARTIN *re-examined.* This slipper is the prisoner's—I found the head of the hammer in my room, and the officer found the handle—this hammer was in my bar the night before, and he must have gone down two pair of stairs to get it, and come through the club-room to get to my room.

GUILTY on the 1st Count. Aged 27.—DEATH.

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928. ELIZA STONER and JAMES LEONARD were indicted for stealing, on the 22nd of February, at St. Marylebone, 1 writing-desk, value 10*s.*; 1 card-case, value 6*d.*; 5 seals, value 13*s.*; 1 necklace, value 3*l.*; 2 pencil-cases, value 5*s.*; 1 knife, value 7*s.*; 2 books, value 4*s.*; 1 sovereign, 1 half-sovereign, and 10 shillings; the goods of Madeline Gordon, in the dwelling-house of George Rust.

MADELINE GORDON. I am lady's-maid in the dwelling-house of Mr. George Rust, of Portman-square, in the parish of St. Marylebone. I had this desk and other things, which I saw safe at nine o'clock in the morning of the 22nd of February, on a table in the housekeeper's room—I missed them at ten o'clock—the desk was produced at the station-house the following Monday, the 24th—I have no doubt about this being my desk—the card-case, and seals, and other things, were in it when I lost it, but they have not been found—only the desk and a few papers are found.

MARY LUCAS. I am the wife of William Lucas, a tailor, in Monmouth-street, St. Giles's. I bought this desk of the prisoner Stoner, on Saturday evening, the 22nd of February, and gave 3*s.* for it—there was nothing in it.

GEORGE JOHN RESTIEAUX (*police-constable E* 49.) In consequence of information, I made search after the female prisoner, but not on account of this charge—I followed her to a place called *Rat's-castle*, in St. Giles's—I asked her what she had done with the desk—she said she had sold it to Mrs. Lucas—I went there, and found it—she gave it up to me—it had been broken open, as it is now—I took the prisoner Stoner into custody, and made search after Leonard—I found him at another house, and in a hat-box, which he owned as his, I found this card-case, pen-wiper, and pen—he said they did not belong to him—this was on Saturday, the 22nd—they were owned by Mr. Rust's servant.

Leonard. You took me on the following Friday? *Witness.* I believe it was so—it was on the 24th I apprehended Stoner.

WILLIAM HEMP. I am a Sheriff's officer. Portman-square is in the parish of Marylebone.

Stoner's Defence. I was going down George-street at a quarter-past eight o'clock on Saturday evening, and met a strange man, who asked me to sell the desk for him, if I could I should have half-a-crown—I went and offered it, and the person did not want it—I shook the desk, and shook the pen out, with a piece of paper, and a pen-wiper—I put them into Leonard's hat-box, and then took it to Mrs. Lucas, and she gave me 3*s.* for it.

Leonard's Defence. I know nothing about the things being in my box—I had not been home till three or four o'clock—when I was at the watch-house he brought these things against me.

STONER—GUILTY.* Aged 19.—Transported for Ten Years.
LEONARD—NOT GUILTY.

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929. JOHN COWDEROY was indicted for forging an order for the payment of money, as follows:—"Jany. 18, 1840. Three days after the ship *Ludlow* has sailed from Portsmouth, pay to James Young, or bearer, the sum of 10*l.*, provided the said James Young has sailed in the above vessel; being part of his wages in advance on an intended voyage to Mauritius; as per agreement with your obedient servant, THOMAS WILLIAMS. Payable at Mr. T. Waddell's, 1, Lime-street:" with intent to defraud William James Cambers.—2nd COUNT, for uttering a like forged order, with a like intent.—3rd and 4th COUNT, like 1st and 2nd, only stating it to be with intent to defraud James Waddell.

MR. ESPINASSE *conducted the Prosecution.*

WILLIAM JAMES CAMBERS. I am a corn-chandler, living in Ratcliff-highway. I have known the prisoner two months—he was in the habit of dealing at my shop—at the latter end of last January I had an account against him of 3*l.* 9*s.* 9*d.*—on the evening of the 25th of January the prisoner came about nine o'clock—he asked me to cash this note for him—he asked for his account—I told him the amount—he said, "I can't pay you unless you cash this note for me"—(*producing one*)—I said I would not do it, for I had two of his notes by me at the time—I made inquiries of him whether it was a good one—he told me it was—I asked if he knew this man James Young—he said, "Yes, perfectly well"—he said, "Do you think I should put my hand to a note if it was not a good one?"—he said he knew Young very well, that he was a ship carpenter, and he had taken the note of the ship carpenter's wife—I then discounted it for him, and deducted the amount of my own bill—I was to have 1*s.* 6*d.* in the pound for discounting it, and he promised if he had the money to bring it on the following Thursday, and take the note back and pay the discount, which was 15*s.*—I gave him 5*l.* 15*s.* 6*d.*—on the following Tuesday, in consequence of something, I went to No. 1, Lime-street, and inquired for Mr. Waddell—I did not find him, he did not live there—I afterwards went to Mr. Graham's—he is the owner of the *Ludlow*—I afterwards saw the prisoner—I sent over for him to my house, and told him it was a forgery—he said, "How do you know it is a forgery?"—I told him I had seen the shipowner—he said he must see about it, he must get some money and let me have.

Cross-examined by MR. PRENDERGAST. *Q.* If he had got the money you would have taken it of him? *A.* Yes, but he did not give it me—I had two notes of his by me—they are paid—I have only had three other dealings with him before—I have been there two years—he was there before I came—the bill was for 10*l.*—he owed me 3*l.* 9*s.* 9*d.*—I charged him 15*s.* for discount, that made 4*l.* 4*s.* 9*d.*, and there was 5*l.* 15*s.* 6*d.* left—he has seamen lodging with him—he put his name on the back of this bill, and on the others too—I would not have taken either of them without his name being on the back of them—I know nothing about Young, or Williams or Waddle—about a month after I found it was a forgery I went before the Magistrate.

COURT. *Q.* How was it you waited so long? *A.* I was very busy in the seed-market.

Cross-examined. *Q.* Did you not see him almost every day? *A.* No, about twice a week—I then went before the Magistrate—I got a summons, and served it on him—he went before the Magistrate on a summons, and then the Magistrate admitted him to bail—I lived about a hundred yards from him—I am not partner with my brother—he is my shopman—he does not share the profits of the business.

MR. ESPINASSE. *Q.* What is the prisoner? *A.* They call him a *crimp*—he is a man that supplies ships with sailors—he is a *cab*-master, and has two *cabs* and four horses—I took this note on his representation.

ROBERT CAMBERS. I am brother of the last witness, and am in his employment. The prisoner came into my brother's shop on the 25th of January to settle his account—I saw this note produced—he said he had taken it of the ship carpenter's wife—my brother had before asked him if it was a good one, and whether he knew the parties—he said he knew the parties very well, he knew it was a good note, and he had taken it of the carpenter's wife—he said it was a ship-carpenter of the name of Young—I saw my brother discount the note for him—he gave him 5*l.* 15*s.*—about the first week in February the prisoner called at my brother's shop again—I saw him—he said he had been looking over the list of the shipping, and could not see the name, but that the ship had gone out, but he knew it was all right, as he had seen the ship-carpenter's wife, and she had had a letter from her husband.

Cross-examined. *Q.* You live just by the prisoner, do you not? *A.* Yes—I am sure that at the first interview he said he had it from the ship-carpenter's wife—I am quite sure he said so, when he brought the bill—he came to me about three days before, and said he had taken a 10*l.* note of a ship's carpenter—I saw him four or five times after the bill was found to be a forgery—he called on the Thursday and on the Saturday—he had corn after he brought the note—he had corn on credit up to the time he went before the Magistrate.

JOHN GRAHAM. I am a merchant, living in St. Thomas's-square, Hackney. I am part owner of the ship *Ludlow*—she left the river about the 10th of last January, and left Portsmouth for Marseilles and the Mauritius on the 17th of February—there was a carpenter on board of the name of Crudsden—the captain's name was Brunton—I never had a captain named Williams commanding the *Ludlow*—we had not a person named James Young on board this voyage—I do not believe that there is another ship called the *Ludlow*.

Cross-examined. *Q.* Had you a carpenter of the name of Young? *A.* No, not at any time on board the *Ludlow*—I do not ship the hands—I pay them myself—here is the advance note to the carpenter of the *Ludlow*, this is a different name and all.

MR. ESPINASSE. *Q.* Look at this document, is it a genuine one? *A.* I cannot tell, it is not as far as I am concerned.

MR. PRENDERGAST. *Q.* Will you swear that there is no other ship *Ludlow*? *A.* Yes, from Lloyd's register.

JAMES WADDELL. I carry on the business of a ship-broker. I had an office in Lime-street previous to January last—I do not know a Captain Williams—I know the ship *Ludlow*—there is no other ship *Ludlow* of the port of London that I am aware of—I do not know this note—I gave no

authority to any one to address it to me—I had nothing to do with the ship *Ludlow* belonging to Mr. Graham.

Cross-examined. *Q.* Does not that look like a genuine instrument? *A.* It is in the usual form, it is quite like a regular instrument—I left Lime-street in November.

MR. ESPINASSE. *Q.* Were you in November, before you left Lime-street, concerned for the ship *Ludlow*? *A.* No.

MR. PRENDERGAST *called*

DANIEL LANE. I am a labourer. I know the prisoner, he is what they call a *crimp*—he keeps a lodging-house for sailors—I remember a person named Young lodging there—he lodged there the last time about three weeks—he was a ship-carpenter, and I understood him to be going on board the *Ludlow*—he told me that from his own mouth—I know Mrs. Schwepster—the prisoner manages the house for her principally—I know this advance-note well—(*looking at it*)—I saw this note delivered to Mrs. Schwepster by James Young, who was, according to his own representation, a ship-carpenter—the last time I saw him there was about three weeks before he went way, but I had been laid up for two months—I had not been there longer—I went before the Magistrate to give evidence, about five weeks after I had seen Young give the note to Mrs. Schwepster personally—I know it is the same note, because I read it—I happened to go in there at the time he was paying Mrs. Schwepster—he brought in the note, and said he was shipped on board the *Ludlow*, and gave her this note—I read it, and asked him if he was going in it, and he told me he was—I do not know what he paid—there might be money pass after I went out of the room—I heard about Young buying some tools, but he did not say any thing to me about them.

MR. ESPINASSE. *Q.* When were you last employed as a labourer? *A.* I have not been able to do any thing for some time—I work in any employ I can get—I was last employed by the prisoner to see men on board ships with their things—that was in September last—I have had nothing to do since, I have been laid up almost all the time—the first time I saw Young must be near upon two years ago—I do not know whether he had a wife—he was a foreigner—he might have a wife *in* a foreign country—I never saw any wife there.

ELIZABETH SCHWEPSTER. I keep a lodging-house—the concern is mine, and the prisoner manages matters there—he keeps the men in order, and gets them ships, but the lodging-house is mine—I remember having a person of the name of Young in my house—he lodged there the last time somewhere about four or five weeks—he was a carpenter—I know that by his doing trifling things for me—he had clothes and tools bought for him for the voyage—I know this advance-note—I received it from James Young—I had it in my possession three days, and then gave it to Cowderoy.

Mr. ESPINASSE. *Q.* What are you? *A.* A lodging-house keeper—I do not live with the prisoner—I keep the house and he lives in it—I never saw any one in particular as Young's wife—there were several women came after him—they all call themselves wives when they come there.

—— UPSALL. I am a pawnbroker. About five or six weeks ago, a man, whose name I do not know, came with the prisoner to my house, and looked at some tools—he said they would not suit him, and went away.

(The prisoner received a good character.)

GUILTY of Uttering the Order, knowing it to be forged. Aged

Confined Two Years.

930. JOHN HAYES was indicted for feloniously assaulting Daniel Bryant, on the 27th of December, and wounding him on the right cheek, with intent to maim, disfigure, and disable him.—2nd COUNT, stating his intention to be to do him some grievous bodily harm.

DANIEL BRYANT. I lived in Jane Shore-court, Shoreditch, for some time, but on the 27th of December I lived in George-street, Spitalfields—I cannot say when I left Jane Shore-court, but I lived in George-street at the time of this accident happening. On the 26th of December, about half-past twelve o'clock at night, I was going from *Mike* Collins's room in George-street, where the prisoner lived, to my own house—I had got to the foot of the stairs and was groping for the latch, to go out, when the prisoner came out of his own room, and said, "Who is this?"—I said, "A friend"—"What makes you here," says he, "so late?"—I said, "I have been up to *Mike* Collins's room here"—he said, "Very well, I will open the door for you"—"Thank you," says I, "I am much obliged to you"—after I got into the street he said, "If I catch you here so late any more, you will get something for it"—I turned and said, "You may catch me here later or earlier, but no harm"—"Very well," says he, "I must know more about you"—so he ran out in the street after me—"You have no occasion," says I, "to come out"—I turned back—he went to *Mike* Collins's room and called, and he made him an answer—he said, "What man is this I caught in your passage?"—Collins said, "No man, but one going home to his lodgings"—"Yes, *Mike*," says I, "I am here"—with that the prisoner *up* with his left hand and took my collar—I, with my right hand, took his collar—I said, "What do you mean to do, what do you collar me for?"—with that he *up* with his hand with a knife in it, and made a rush with the knife at my belly—it missed me—he said, "You wretch," or, "you vagabond, I will run this through your guts"—I took my hand out of his collar, and took hold of the knife, which was open—I called out to Collins, who was in bed, that he had got a knife and was going to murder me with it—so he got up and laid hold of Hayes, and said, "*Jack* Hayes, that is my cousin; don't strike him in my house, if you do I'll strike you"—I put myself away from him, and was going away, and he got the opportunity of striking me with the knife in the cheek—it went through on the right side, and the teeth on the other side stopped it—he dropped the knife then—*Mike* Collins's wife was after lighting the candle, and she seeing him drop the knife, said, "*Jack* Hayes, it is too late to drop the knife, now you have struck the man," and out Collins's wife went to fetch the policeman, and I kept the knife till the policeman came—the blow injured me—I have been ill a long time, and could do nothing for myself afterwards—I consider in my own mind the man must have made a mistake—I am informed since that he has got a drunken wife, and that might be the cause of his making a mistake in me, for they behaved very kind to me afterwards—they gave me some money during the time that I was ill—it was God's will that I got over it, and I would not like to hurt the man.

Cross-examined by MR. PHILLIPS. *Q.* You think, because he had a drunken wife, he might have mistaken you for somebody else? *A.* Yes, exactly—I consider it was a mistake—I think he made a mistake, because never seeing me before he could owe me no sort of hatred, nor I to him—Mrs. Collins is not here—the clerk at Lambeth-street objected to having her go on there—I told him she was present—I am par-

ticular about an oath—I would not swear any thing that was not right, s far as I am in my sober senses.

Q. Tell us where you were living on the first day of the examination i Lambeth-street? *A.* I had got no settled place to live in—I only pa for my lodging where I get it cheapest—I lodged the night before in th station-house.

Q. Did you say you lived in Jane Shore-court? *A.* I do not know when I lived there—I do not know the name of any months, unless I heard another man say it—I do not know the name of the first month i the year, nor the last, nor what month New Year's-day is in—I do no know what month Christmas-day is in—I know Sunday is the day they go to mass—I do not think it is in the middle of the week—I do no know how old I am—I believe I am thirty-five—I had been in England about four months before this accident happened—I do not know wha month St. Patrick's day is in—I hear there are twelve months in th year, but I do not know.

Q. When you had the prisoner first up, did you not charge him with an assault, and was he not fined 5*l.*, or to go to gaol for two months? *A.* I do not know what he was fined, or whether he was fined or not—I heard he was fined—I cannot tell how long it was from the day I made the charge till the prisoner was sent to gaol—I got 23*s.* 6*d.* from the prisoner's wife, and they provided lodging for me for nine or ten days—they acted as kind to me as they could—I caught hold of his collar when he caught hold of me—there was no struggling together—I had never been in the prisoner's room—I knew Collins sixteen years ago in Ireland.

COURT. *Q.* Are you sure that the prisoner struck the knife through your cheek, in the way you have described? *A.* Yes, my Lord.

MICHAEL COLLINS. I am a labourer. I live in New-court, George-yard, Whitechapel—the prisoner lived in the same house—we have got no landlord—we pay no rent to any body—I remember, one night in December, hearing a cry out, it was between twelve and one o'clock in the night—Bryant had been visiting me that day—Hayes called out to me, "What man is this in my passage?"—I said my friend was going home to his lodging, and then they both came into my room—there was a good fire, but no candle—they were talking to one another, and then Bryant hallooed out to me, and I told Hayes to let that man alone, he was no harm to him—then directly Bryant hallooed out to me that he was going to murder him with a knife, I jumped out of bed, and caught hold of Hayes by the collar—I said "Don't hit my cousin, else I will hit you"—before I had the word out of my mouth my mistress lighted the candle, and the prisoner up with his hand, and stabbed Bryant on the right cheek, and the blood flowed on his shoulder, just the same as you would let a water-cock go—the prisoner dropped the knife, my wife took it up, and said, "It is too late to drop it now"—I opened my door, and sent for the policeman—Bryant's cheek was cut right through.

Cross-examined. *Q.* Did you say it was a friend of yours who had come to see you? *A.* Yes, I am sure of that—Bryant is a first cousin of mine—I saw him in London about a month or two after Michaelmas—the first *month* of the year is New Year's-day, and I suppose the last *month* is Christmas-day—I know the last month of the year, but I do not know the name of it—I came to this country to get my living, the same as others—I have been here twenty-five years—I was never accused of any thing in my country—I have been accused in England.

Q. What was the first thing you were accused of? *A.* That I cannot tell—I was not taken up for any thing—I was accused of breaking into a house and taking the things out, but they did not find it—I was at the Old Bailey for that, but they did not follow it up—they sent me to this jail and I was here till the Sessions came on—I do not know how long it was—I was in jail above a week—it is twelve months ago or so—I was not tried, they did not follow me—I have not tried to get any money from the prisoner's friends, nor asked for any.

Q. Did you send word to the prisoner's wife that you would not appear if they gave you a 1*l.*? *A.* No; she sent a woman to me, but I do not know her name—I do not know Hannah Sullivan—I may know Ellen Harley, but I do not know that I do—I was at the Magistrate's office on the second examination—Bryant then lived in George-street—the prisoner was fined 5*l.* for the assault, or to go to jail for two months if he could not pay it.

ALLEN PIPE (*police-constable H* 51.) I was on duty on the morning of the 27th of December—I was called to No. 16, New-court, George-street—I found Byrant on the first-floor front room, he was bleeding from a wound in the cheek—it was a wound about an inch and three-quarters long, quite through the cheek, and there was a great deal of blood on the floor—I went to the bottom room after Hayes, but I did not find him—I received this knife (*producing it*) which was quite wet with blood—I took Byrant to the London Hospital, and in about two hours and a half I took the prisoner—Mr. Norton fined him 5*l.*, or two months' imprisonment, but he afterwards recalled it, and said it was a more serious case, and he sent him here.

Cross-examined. *Q.* Had you interfered before Mr. Norton changed his mind? *A.* Yes, sir—the prisoner was committed on the 8th of February—I was present when Byrant was examined—on the 28th of December, he gave some place of residence, but I do not recollect it—it was after he and Collins were examined that Mr. Norton fined the prisoner 5*l.*—Mrs. Collins was examined, but she is not here.

GUILTY of a Common Assault. Aged 44.—Confined Six Months.

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931. RICHARD THOMPSON was indicted for breaking and entering the dwelling-house of Christian Hinrich Fruchtnicht, on the 11th of February, at St. Anne, and stealing therein one scarf, value 1*s.* 6*d.*; four petticoats, value 1*s.*; five frocks, value 3*s.*; and six pairs of stockings, value 1*s.*, his property.

MARGARET FRUCHTNICHT. I am the daughter of Christian Hinrich Fruchtnicht—he lives in Catherine-street, Limehouse. I was returning home about eight o'clock at night, on the 11th of February—just before I got home I saw three boys standing at the corner—I heard one of them say, "Don't be a fool;" and then the prisoner, who was one of them, and had a flannel jacket on, went to our window, and I saw his hand on the window-frame—I went in and told my mother, and when we came out they were gone—I am sure that the prisoner is the person who had his hand on the window-frame—I watched him five or ten minutes, and that enables me to speak to his face.

Cross-examined by MR. PAYNE. *Q.* How far were you from your father's shop when you heard one say, "Don't be a fool?" *A.* They were standing at the opposite corner, and I was passing by—I watched them about five or ten minutes before I saw the one with the flannel

jacket at the window, he crossed over to go to the window, and the other two stood at the other corner—I then went in—I saw the one with a flannel jacket again a short time after—I did not see what he was doing at the window, but I saw his hand on the frame—I had never seen him before—I went before the Magistrate the next day, and the prisoner was remanded—it was nearly a fortnight after that I was sworn—I am quite sure I am not mistaken as to the prisoner's person—it was about eight o'clock at night, and was dark.

ELIZABETH FRUCHTNICHT. I am the wife of Christian Hinrich Fruchtnicht—he lives at No. 2, Catherine-street, in the parish of St. Anne, it is our dwelling-house. On the night of the 11th of February, my little girl told me something and I went out into the street—I saw no one, but I saw that some of the things had been taken from the shop window, and that the whole of the pane of glass had been taken out—the window was all in confusion—I had seen the scarf and the other articles mentioned safe about a quarter of an hour before, and the window was then safe—I sent a person round the corner and she came running back and fetched me—I went out and went round to a cart, which was round the corner in James's-street, two doors from our house—I found in the cart this scarf, these four petticoats, five frocks, and six pairs of stockings—(*examining them*)—they are all new, and are the property of my husband, they had been safe in the shop a quarter of an hour before the child came in—when I was in the street I saw the prisoner pass the turning, and Mr. Baker, who was with me, went up to him and said, "Is it you who can't keep your hands to yourself?"—the prisoner said, "I have not been doing any thing to-night"—Mr. Baker brought him to the shop and sent for a policeman—while the prisoner was in the shop he leaned up against the counter, and the next morning when I was putting the shop to rights I found this knife (*looking at it*) under the gowns on the counter where he had leaned—the knife does not belong to me.

Cross-examined. *Q.* Had your window been broken before? *A.* Yes, a small piece out, and there was some paper behind it which was cut through with the knife—I had not been in my shop all the afternoon, but I served a gentleman with something not a quarter of an hour before—I was not in the shop during the remainder of the quarter of an hour—*I did* not see the prisoner till I saw him pass the end of the turning—he was not with the cart at that time—the cart was round the turning in a by-place.

MARY ANN GOLDSMITH. I was in the prosecutor's shop when the little girl came in—I ran into the street, and saw the window was out—Mrs. Fruchtnicht told me to go round the corner, which I did, and saw the prisoner, who had a flannel jacket on, in the act of putting things into the cart—I swear he is the person—I have no doubt of him—I walked up to him, and passed him, and looked in his face that I might know him again, but I could not take him, being by myself—he ran away from the cart, and I went after him—he did not see me when he put the things into the cart, but he did when he came from the cart—I afterwards took the things out of the cart, and gave them to Mrs. Fruchtnicht—they were her property—I had seen them before—I told what I had seen, and Mr. Baker went with us, and while we were in the public-house I heard a whistle—we came out, and saw the prisoner pass, and he was taken.

Cross-examined. *Q.* Did he run? *A.* Yes, he ran past the top of the

street—when he first came from the cart he ran, or walked sharply—when he was putting the things into the cart he was on the shafts or on the wheel, he was not in the cart—he did not see me then—he got down, and went towards the public-house at the corner of the street—I went after him, got past him, and looked at him—I had never seen him before—the paper in the window was hanging to the frame.

ROBERT EDWARDS (*police-constable K* 311.) I took the prisoner, and produce the property and this knife.

Cross-examined. *Q.* I believe you told him what you took him for? *A.* Yes—he said, "Very well," he would go with me—in going along he said he knew nothing about it.

GUILTY.* Aged 19.—Transported for Ten Years.

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932. JOHN BROWN and WILLIAM STANLEY were indicted for stealing, on the 24th of February, 1 purse, value 2*s.* 6*d.*; 2 sovereigns, 1 half-crown, 7 shillings, and 7 sixpences; the property of John Benjamin Nevill, from the person of Jane Sarah Nevill.

MR. CHAMBERS *conducted the Prosecution.*

JANE SARAH NEVILL. I am the wife of John Benjamin Nevill. On the 24th of February I got into a Holloway omnibus at Moorgate-street—about two minutes before I got in I took my purse out of my pocket to take out a sixpence to pay my fare—I put the sixpence into my glove, and put the purse into my pocket again on my right side—I had done that openly in the street, so that any one might see that I had a purse—when I got into the omnibus I saw the prisoner Brown sitting near the door on the left-hand side—I was wishing to sit between him and the door, but he put his knees towards the door, and that occasioned me to sit on the other side, about three from the door—that brought me to sit next the prisoner Stanley—I feel convinced it was him—he sat on my right-hand, where my pocket and money was—the omnibus started immediately, and Stanley annoyed me by looking under my bonnet very much—when we got to York-place, City-road, a lady got out who had sat between me and the door—I then moved towards the door, and Stanley followed me—when he looked under my bonnet I turned my head from him—I continued in the omnibus till we got just beyond Islington church, when Stanley got out—Brown was then sitting on the opposite side to me, and he said he would get out at the next turning, but he did not stop till he got to the turning—he said, set him down, any where would do—the omnibus did not stop much before it got to the turning—I went on beyond Highbury—I missed my purse before I got there, but I did not discover that my gown was cut till I got out—from the time I got in at Moorgate and my missing my purse, no one, except Stanley, had been sitting on that side of me near enough to get my purse—and after he left no one sat near me—a woman sat on that side, but she was quite up at the other corner—I lost between 2*l.* and 3*l.*—I cannot say to a few shillings—I know I had two sovereigns in my purse, and one was an extremely bright one, of the present reign.

Cross-examined by MR. PAYNE. *Q.* You do not swear positively to Stanley? *A.* I did not at first—I would not, had I not seen him again—I feel confident it was him—I was before the Justice with him for some time, but having said I could not swear to him, I would not do it—Stanley sat on the right side of me, and on the right-hand side of the omnibus—

his left hand was next to my pocket—I believe I stood in the street, waiting for the omnibus, before I got in.

Cross-examined by MR. ESPINASSE. *Q.* Brown was sitting on the opposite side to you? *A.* Yes—I did not ask him to let me sit between him and the door, as I thought he had made up his mind that I should not—I did not attempt to sit down there—after some time a lady got out, who sat next to him, and he moved up higher, and got rather beyond where I was sitting—I think there were six persons in the omnibus besides myself—I do not think there was any one beyond Stanley at first, but when he got out there was a lady sitting on the same side, quite in the corner—there was a lady sitting near Brown, who got out at the Angel public-house, and I think there was a gentleman sitting on the same side—I am certain I put my purse into my pocket a minute or two before I got in—it was a bead purse, and opened with a clasp—it was a very good clasp—my purse and all was gone.

MR. CHAMBERS. *Q.* You think there was a gentleman sitting on the side Brown was; did he sit higher up? *A.* Yes, nearer to the horses—my pocket was rather behind me, so that when I turned, to avoid Stanley's observation, I suppose that brought my pocket nearer to him—Brown occasionally leaned his head forward, so that his head was between me and the gentleman who sat on the side which he did, but higher up.

JAMES CUTHBERT. I am a ward-officer. On the 24th of February I was in Bread-street, between two and three o'clock—I saw the two prisoners together—I followed them—they went on to Moorgate, still in company, and there Brown left Stanley, and got into a Holloway *buss*—Stanley walked on, and crossed to the opposite side of the way—the *buss* moved on a few paces, and then Stanley got in—I followed the *buss* to beyond Islington church, and there I met Brown coming back towards town, but there being a wind in the road there, I did not see him get out—I said, "I want to speak to you, young fellow"—he made some answer I did not understand—I took him into a cheesemonger's shop, and searched him—I found on him 2*l.* 13*s.*, one sovereign of which was a very bright one—I found on him a knife and two keys—I took him out, and he said, "Why don't you lay hold of my arm?"—I said, there was no occasion for that—as we walked on I turned my head, and saw Stanley on the other side of the way—I said to Brown, "Why don't you walk on faster?"—he then slackened his pace, and Stanley went across Islington burial-ground—Brown said he was going to Holloway, to see his cousin—I asked him why he did not go on with his journey—he said he had changed his mind.

COURT. *Q.* Had you ever seen the prisoners together before? *A.* I cannot say that I had, but I had a slight knowledge of them.

Cross-examined by MR. PAYNE. *Q.* What do you mean by their being together? *A.* They were walking together, and in some parts they were close together—when one stopped the other did—I did not hear them converse together—I was but a short distance from them—I am not mistaken as to Stanley being one.

Cross-examined by MR. ESPINASSE. *Q.* What did you find on Brown? *A.* 1*l.* 13*s.* in silver, a sovereign, and 2½*d.*

THOMAS ELSOM. I was in the Holloway omnibus when Mrs. Nevill was there—I had got in before her—I sat on the left-hand side, at the top—Brown sat at the commencement of the *buss*—Mrs. Nevill sat on the right-hand side, next to Stanley—he gave way a little for her to come and

sit by him—her right side was towards him—shortly after the omnibus had started I observed that Stanley's hands were under the tails of his coat, and he kept looking at Mrs. Nevill under her bonnet, and occasionally looking round at me very hard—when we got to Islington a lady got out—Brown then moved higher up—he kept looking at the little window, and bobbing his head forward—Stanley got out at Cross-street, Islington, and directly after, Brown said, "Put me down at the next turning;" but before he got to Barnsbury-street he said, "Put me down, this will do"—he got out, and within two minutes Mrs. Nevill said, "That fellow has robbed me of my purse"—no one else could have done it but Stanley—no one else was near her—about the 2nd of March I happened to be in the Strand, returning from the West End of the town—there was an engine there and a mob—I saw Stanley with another person—they crossed the road, and I saw Stanley reading a bill—I said to him, "You are the man that robbed a lady in an omnibus"—he said, "I am not"—I took him by the collar, and in Tavistock-street a policeman took him—he ran off, but was taken.

Cross-examined by Mr. Payne. *Q.* Are you quite convinced that he is the man who sat in the omnibus? *A.* I am certain of it—there were seven persons in the omnibus till it got to the Angel Inn, and after that six—I do not know whether there were any Friends there—there was nothing to prevent my seeing what took place till Brown put his head across—when I met Stanley in the Strand I knew him in an instant—I spoke to a policeman, but I do not know whether Stanley saw me—he and his companion then crossed, and Stanley began to read a bill—I had not seen him before the day he was in the omnibus—I am an agent to the Royal Exchange Office, and am a neighbour of Mrs. Nevill.

William Holder. I was called by Mr. Elsom to take Stanley—I did not lay hold of him, and he ran some distance, but was taken again.

BROWN—GUILTY. Aged 17.
STANLEY—GUILTY. Aged 21. } Transported for Ten Years.

Fifth Jury, before Mr. Sergeant Arabin.

933. WILLIAM ABBOTT was indicted for feloniously breaking and entering the dwelling-house of Sarah Winup, on the 19th of February, at Christ Church, Middlesex, and stealing therein, 1 time-piece, value 12*s.*; 2 gowns, value 10*s.*; and 2 handkerchiefs, value 1*s.*; her goods.

Sarah Winup. I live in Carter-street, Brick-lane, and am a laundress. I lodge in the lower rooms—the landlord does not live in the house—it is in the parish of Christ Church, Middlesex—the prisoner came to the house two or three years ago to work, and worked there a year or two, but he has not worked there the last two years, and had nothing to do with the house—on the 19th of February I was in the wash-house, which is under ground—I had left my room at twenty minutes past seven o'clock in the evening by the time-piece, which is now in Court—every thing in the room was then safe—I returned to my room about half-past eight o'clock—it was then full of smoke, and the carpet was on fire—it was smouldering through to the boards—I cannot tell whether that was done in getting a light to take these things or not—when I left my room I had locked the door, but I cannot swear that I took the key out—I am in the habit of

putting it in a secret place, which the prisoner knew, as he had lived in the house—when I came back the key was in the door, and the door wide open—I am sure the door had been shut before, at any rate—the first thing I missed was the time-piece, and on looking further I missed two gowns which I had to wash, and two handkerchiefs—all that I have found is this time-piece and one handkerchief—this is my time-piece and handkerchief—(*examining them*)—the prisoner knew the way of the house.

THOMAS DURRANT. I am a pawnbroker. I produce this time-piece, which was pawned by a person answering the description of the prisoner—I could not swear it was him, but I believe him to be the man.

SARAH TIMMS. I live in Charles-street, Drury-lane. I did not know the prisoner till about a week before this happened. On the 19th of February he came into my room—he had the time-piece in his hand, and two gowns about his body—he asked a young girl who lived with me to take the time-piece to pawn—she would not, and the next morning he took it out himself—he came back, and said he had pawned it.

SAMUEL BROWN (*police-constable G* 88.) I took the prisoner—I found the duplicate of this time-piece up his sleeve.

GUILTY. Aged 23.—Confined Nine Months.

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934. MARY M'CARTHY was indicted for stealing, on the 29th of February, 1 coat, value 3*l.* 10*s.*; 2 gowns, value 10*s.*; 1 pair of trowsers, value 30*s.*; 1 bonnet, value 1*l.*; 1 shawl, value 2*l.*; 4 pinafores, value 5*s.*; 2 petticoats, value 4*s.*; 3 shifts, value 3*s.*; 1 night-jacket, value 2*s.*; 1 frock, value 1*s.*; and 1 pencil-case, value 9*d.*; the goods of John Gibbs, her master: and ELIZABETH GRAHAM was indicted for feloniously receiving 1 shawl, 1 gown, 1 pinafore, 2 shifts, 1 petticoat, 1 frock, 1 coat, 1 pair of trowsers, and 1 pencil-case, part of the said goods, well knowing them to have been stolen; against the Statute, &c.

JOHN GIBBS. I am a rope-maker, my dwelling-house is No. 164, Old Gravel-lane, St. George's-in-the-East—the prisoner M'Carthy was in my service for a fortnight before this happened. On the 29th of February I and my wife went out about seven o'clock in the evening, leaving M'Carthy in care of the house—she was the only person—as far as we know, we left all my property secure—I returned to the house first, in about two hours, and found two of the trades-people ringing at the bell—they could not get in—I rang once at the bell—it was not answered—I went into the next house, and got over the wall—I found no one in my house, M'Carthy was gone—I went to my cash-box, and found that was safe, and I did not search any further—my wife returned afterwards, and she missed the articles stated—the next day, which was Sunday, about three o'clock in the afternoon, I was with a friend, and saw M'Carthy—I told her I was very glad to see her, and I should take her into custody—she said she would confess all she had done, and if I would go to No. 31, Rose-lane, she would give me up what she had stolen, as she had not parted with any—(I had not made her any promise, or threatened her)—I said I would not—I took her to Whitechapel-church, and gave her into custody—we then went to No. 31, Rose-lane, and found various things that are here, and are part of what I lost—the value of what I lost was 10*l.* at least—Graham was taken afterwards—I know nothing of her, but she was with M'Carthy when I took her—she ran or walked away directly, and I had

no opportunity of saying any thing to her—Graham had my wife's shawl on, and was carrying a bundle—I saw the bundle opened when we got to the house in Rose-lane, and it contained the articles here produced—M'Carthy had my wife's bonnet on.

EDWARD SIMMONDS. I am a policeman. On Sunday afternoon, the 1st of March, the prosecutor gave me charge of M'Carthy—she said if we went to No. 31, Rose-lane, we should find the property—we went there, and found the things now produced.

GEORGE KING (*police-constable H* 111.) I was at the station-house when M'Carthy was brought in—I went to search the house, No. 31, Rose-lane, and there found the property here produced, with the exception of this gown and bonnet, which M'Carthy had on—I could not find Graham at that time, but I stopped at the house after the others were gone, and in a few minutes Graham came in at the back-door, and I took her—I asked where the shawl was that she had on when she was with M'Carthy—she said she did not know M'Carthy—I said she was with her when she was taken—she then said she was with her, and had borrowed M'Carthy's shawl, and lent her hers—M'Carthy was afterwards brought back to that house, and she asked Graham where the suit of clothes was that had been in the bundle—Graham denied that they had been in it.

ANN O'BRIEN. I am the wife of a policeman. I searched the prisoners—I found on M'Carthy Mr. Gibbs's wife's dress, as she owned it to be, *she* also owned she had given the various articles to Graham, and wished her to give them up, but she said Graham had parted with the suit of clothes—I found this pencil-case on Graham, and *5s. 5½d.*

Graham's Defence. M'Carthy gave me the things on the Sunday, she had the dress and bonnet on—she said, "Lend me your shawl, and put this on"—I did so, and we went out—she said, "Carry this bundle," which I did—the prosecutor and another gentleman saw us—I took the things back to the house, and as I was going up stairs with it the pencil-case dropped out—when the officer asked me where the shawl was, I said it was up stairs—I did not deny having it—I know no further.

M'CARTHY—GUILTY. Aged 25.—Confined Nine Months.
GRAHAM—GUILTY. Aged 23.—Confined Three Months.

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935. WILLIAM WESTON was indicted for stealing, on the 26th of February, 1 opera-glass, value 1*l.*, the goods of Edward Clare, from his person.

EDWARD CLARE. I am a professor of music. On the 26th of February I was in the lobby of the pit of Drury-lane theatre—I had an opera-glass in my left hand coat-pocket—I am quite sure it was there—there were a great many persons there, but I was very late, and was behind them—there were not many people where I was—I felt something go from the pocket in which this glass was—I turned immediately to my left, and the prisoner was standing close by me—I said to him, "What have you done?"—he said something, but I cannot remember what, and at that instant the glass fell—I cannot say from whom, but it certainly did not fall from my pocket—it fell before the prisoner—the officer took it up—this is it—(*looking at it*)—when I spoke to the prisoner, I thought he was the person who took it.

JOHN JAMES BARNARD. I am a policeman. I was at the theatre on the 26th, the night her Majesty went there—I was in plain clothes—I saw

the prisoner in the lobby—I watched him for twenty minutes or half-an-hour—I saw him *sound* five different gentlemen's pockets—he worked his way in with the crowd, and I saw him go behind the prosecutor, and get close to him—the prosecutor said something to him, and I saw this glass fall from the prisoner's left hand, on to my feet—I picked it up, and my brother officer took the prisoner—I found on him two silk handkerchiefs, two pairs of gloves, two keys, five duplicates, and one counterfeit shilling, but no good money at all.

JOHN DAVIES WHITE. I am an officer. I was there in plain clothes—I saw the prisoner make several attempts at gentlemen's pockets, by lifting them up—he then went behind the prosecutor, and I saw the opera-glass in his hand—the moment the prosecutor turned, he dropped it, and I took him into custody.

Prisoner's Defence. The handkerchiefs and gloves are my own—I was not there two minutes—I got into the crowd, and could not go backwards, nor forwards—I am not guilty of anything of the kind—I never attempted to touch any one.

GUILTY. Aged 30.—Transported for Ten Years.

936. JANE WOOD was indicted for stealing, on the 29th of February, 3 lbs. weight of pork, value 1*s.* 10*d.*, the goods of Edward Wilson Collins.

JOHN SABINE. I am in the service of Mr. Edward Wilson Collins, a butcher, in Leather-lane. Last Saturday night, I was standing outside the shop, and a person said, "There goes a lady that has just stolen a piece of pork"—I went after the prisoner, and said, "What have you got?"—she said, "Nothing"—I took her by the arm, and took from her this piece of pork, which is my master's—she was so very drunk I do not think she knew what she did.

Prisoner. I picked it up, and walked away with it—I had had a drop to drink.

THOMAS SHADDICK (*police-constable G* 15.) I took the prisoner into custody.

(The prisoner received a good character.)

GUILTY. Aged 40.—*Recommended to mercy.*—Confined Seven Days.

937. SARAH CUZER was indicted for stealing, on the 26th of February, 3 pewter pots, value 3*s.*, the goods of John Snelling; and that she had been previously convicted of felony.

JOHN SNELLING. I keep the New Red Lion public-house, in the Harrow-road. On the 26th of February, I was standing in my back-parlour—my niece called me, and said a person was taking the pots out of the passage—I went out, and saw the prisoner—she put down a pint pot before I got outside the bar—I asked her what she had been taking—she said, "Nothing"—I said, "You have something in your apron, what is it?"—she then fell on her knees, begged forgiveness, and produced these two half-pint pots, which are mine.

THOMAS HENRY THOMPSON (*police-sergeant D* 4.) I produce a certificate of the prisoner's former conviction from Mr. Clark's office—she is the person who was tried—(*read.*)

Prisoner. I beg for mercy.

GUILTY. Aged 57.—Confined Eighteen Months.

938. JOHN BROWN and JAMES JACKSON were indicted for

ealing, on the 22nd of February, I sack, value 1*s.* 6*d.*; and 1 bushel of eans, value 7*s.*; the goods of Israel Alexander and another.

SAUNDERS ALEXANDER. I am the son of Israel Alexander, who is in artnership with my sister—they live in Chiswell-street—the prisoner rown was our stable-man. On the 22nd of February Jackson came to ie yard, about nine o'clock, driving a country team, and when he had got is cart about half-full of dung, I walked out, and said, "How long are ou going to be?" and I saw him in the act of covering a sack in the ung-hole—it was three parts covered with dung—I turned it over, and aw "J. & H. Alexander" on it—I opened it, and saw the beans in it—rown was at that time in the loft, and these beans must have come from ie loft, as we kept them in no other place—I sent for the policeman who ook both the prisoners.

AARON ALEXANDER. I am brother of this witness—I was in the bed-oom dressing at a little after nine o'clock that morning—I looked out of the indow, and saw Brown call Jackson from the dung-hole and give him the ack of beans—Jackson took them to the dung-hole, and would have put hem on the cart, but my brother went out to him—Brown must have brought he beans from the loft—he gave them to Jackson at the top of the yard—he sack contained about a bushel of beans.

Brown. Mr. Alexander has taken the money for the articles—he topped it out of my wages.

SAUNDERS ALEXANDER *re-examined.* There was 12*s.* due to him—his rife came—I gave her 5*s.*, and the Magistrate said I should keep the rest till this case was decided.

BROWN—GUILTY. Aged 53.—Confined Twelve Months.
JACKSON—GUILTY. Aged 25.—Confined Six Months.

939. ANN TOPHALL was indicted for stealing, on the 1st of March, 1 table-cloth, value 3*s.*, the goods of John Nutt Sayer.

EDWIN TURNER. I am apprentice to John Nutt Sayer, a printer, in East-treet, Manchester-square. On the first of March I saw the prisoner on the econd floor of the house—she was a stranger and had no business there—followed her, and she went down the yard—soon after I went out for milk, nd as I came out of the milk-shop she passed me—I looked at her and he at me—I went home, and went up to my mistress, and heard the table-loth was missed—I ran out down Halford-mews, and saw the prisoner—called her, and said, "If you please, will you give me that table-cloth?"—she went out of the mews, and turned the corner—a man asked me what wanted with her—I told him, and she went up another mews—the man ent and took the table-cloth from her, and I went for the policeman.

HENRY EGERTON (*police-constable D* 15.) I took the prisoner, and have he cloth.

JOHN NUTT SAYER. This is my table-cloth—it was on the balustrade of he second floor close by our bed-room—the street-door had been left open y a lodger who had gone out early that morning—it was about eight o'clock when the prisoner was taken.

GUILTY.*—Aged 49. Confined Six Months.

940. BENJAMIN BRIDGEFORD was indicted for stealing, on the 2nd of March, 2 pewter pots, value 1*s.* 6*d.*, the goods of Thomas Wilson.

THOMAS TRIGG (*police-constable G* 214.) I fell in with the prisoner in Turnmill-street, about a quarter before eleven o'clock, on the 2nd of

March—Bunney told me something—I took the prisoner, and found one of these pots in his hat, and one in his hand under his apron.

WILLIAM BUNNEY. I am a ladies' boot and shoemaker—I saw the prisoner take the pots off a cask in front of the prosecutor's bar—he put one in his hat and the other under his apron in the house—I followed and told the policeman.

THOMAS WILSON. I keep a public-house in St. John-street, Clerkenwell—these pots are mine—I had seen the prisoner in and out of my house.

Prisoner's Defence. I have been out of work ever since Christmas—my wife and two children had nothing to eat—I meant to sell the pots to get a loaf of bread—the officer will state how he found my place.

THOMAS TRIGG *re-examined.* I found about a hatfull of straw in one corner of the room, but no table, chair, or bedstead—his wife and two children appeared in very great distress.

GUILTY. Aged 38.—*Recommended to mercy by the Jury.*—Confined One Month.

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941. MARY JONES was indicted for stealing, on the 28th of February, 1 pair of shoes, value 5*s.*, the goods of William Hayhow.

JAMES COCHIE. I am foreman to William Hayhow, a boot and shoemaker, he has a shop in Ratcliff-highway and one in Shadwell. On the 28th of February the prisoner came to the shop in Shadwell, and asked the price of a pair of shoes for a child three years old—I said I could not tell without I saw the size, had she brought an old shoe?—she said she had not—she then asked the price of a pair of men's boots, which hung over these shoes—I said she could not want them—she said, yes, her father wanted a pair—when she was gone I missed this pair of shoes, and in about half-an-hour I found them at the pawnbroker's—I had seen the prisoner frequently before, and had cautioned her not to handle the shoes at the door.

WILLIAM CASON. I am shopman to a pawnbroker. These shoes were pawned by the prisoner, in the name of Mary Jones.

GUILTY. Aged 16.—Confined Eight Days.

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942. HANNAH SEXTON was indicted for stealing, on the 2nd of March, 1 blanket, value 2*s.*; 1 table-cloth, value 2*s.* 6*d.*; and 1 handkerchief, value 1*s.*; the goods of Richard Morton, her master.

MARY MORTON. I am the wife of Richard Morton, we live in Spring-street, Marylebone. The prisoner was my servant—she came on the 22nd of February, and had been with me a week and two days—I missed the blanket off her bed, and a table-cloth and handkerchief, on the 2nd of March, and spoke to her about them—she said the things were there when she came, but she had lost the blanket four or five days—I sent for a constable, and then she said she had pawned the blanket for 1*s.*, but she would not tell where the table-cloth was.

MARY ECKETT. I am the searcher at the station-house. I found this handkerchief on the prisoner—she said, "Don't produce that handkerchief, if you do it will *do* me."

Prisoner. She asked where the blanket was, I said I did not know; I did not say I had pawned it.

MRS. MORTON *re-examined.* She said she had pawned it, and lost the ticket.

GUILTY. Aged 21.—Confined Three Months.

943. GEORGE SHRIMPTON was indicted for embezzling 3*l.* 4*s.*, 3*s.* 2*d.*, and 12*s.*, which he had received as a servant to, and on account of Harry Winterbourne and others; to which he pleaded

GUILTY.—Confined One Year.

OLD COURT.—*Monday, March 9th*, 1840.

Fourth Jury, before Mr. Sergeant Arabin.

944. JEREMIAH HEALEY was indicted for stealing, on the 26th of February, 1 pair of trowsers, value 15*s.*, the goods of William Parr; and that he had been previously convicted of felony.

WILLIAM PARR, JUN. I live with my father, William Parr, who keeps a general sale-shop in Strutton-ground, Westminster. On the evening of the 26th of February the prisoner ran up to the shop-window, snatched these trowsers and ran off with them—I followed him—he threw them down—I scuffled with him, and brought him back—I had seen him lurking about the neighbourhood before, with two companions.

JAMES DALTON. I am a policeman. I was called to the house, and took him into custody.

JOHN GRIEG. I am a policeman. I produce a certificate of the prisoner's former conviction from the clerk of the peace at Westminster—(*read*)—I was a witness at the trial—he is the person.

GUILTY.*—Transported for Seven Years.

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945. SARAH CORNELL was indicted for stealing, on the 2nd of November, 1 blanket, value 7*s.*, the goods of John Savage.

THOMAS GRAVES. I am servant to John Savage, a pawnbroker, Whitechapel-road. On the 3rd of March, about seven o'clock in the evening, I saw the prisoner in the shop—she remained there about two minutes, and was going out without asking for any thing—I kept my eye on her, and saw her take this blanket down, which hung inside the door—she wrapped it round her arm, and was going out with it before her—I secured her before she quite left the shop—she had wrapped it up, and put it under her shawl.

Prisoner's Defence. I did not intend to take it—I was looking at it, and he took me.

GUILTY. Aged 45.—Confined 14 Days.

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946. WILLIAM JOHNSON and MARY CLARK were indicted for stealing, on the 5th of March, 1 candlestick, value 6*d.*; 1 blanket, value 1*s.* 6*d.*; 1 sheet, value 3*s.*; 1 quilt, value 5*s.*; and 1 pillow, value 4*s.*; the goods of William Willis.

AGNES WILLIS. I am the wife of William Willis, and live at No. 15, Newcourt, Picket-place, it is an accommodation-house. On the 4th of March, after twelve o'clock, the prisoners came in for a night's lodging, which they had—it was furnished with the articles mentioned in the indictment—my servant went up stairs between nine and ten o'clock next morning, and told me something—I went up stairs, and missed the articles stated—the prisoners were in the passage when I sent the servant up—I detained them—they were searched in my presence, and part of the property was found on each of them—this is the property—(*looking at it*)—the quilt, blanket, and sheet were on the woman, under her clothes—the pillow was between the man's coat and trowsers, and he had the candlesticks.

JOHN MANHOOD. I am a policeman. I was sent for, and found the articles on the prisoners as described.

Clark's Defence. I was willing to return them before the officer was fetched.

JOHNSON—GUILTY. Aged 30.—Confined Six Months.
CLARK—GUILTY. Aged 22.—Confined Threee Months.

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947. JAMES COOMBS was indicted for stealing, on the 23rd of February, 1 thimble, value 6*d.*; 2 shirt-studs, value 1*s.* 6*d.*; 3 shillings and 1 sixpence; the property of George Blackman.

ELIZABETH BLACKMAN. I am the wife of George Blackman—the prisoner is my son—I am a muffin-baker, at Chelsea—my husband is in the poor-house—the prisoner lives at home with me, but frequently goes out. I lost a thimble and two shirt-studs, worth about 3*s.* 6*d.*, from a caddy in my room—it was not locked—I found the studs afterwards at the pawnbroker's—(*looking at them*)—I believe them to be the same he took out of the caddy, but there is no mark on them—they may be mine, or may not—there are many thimbles alike—I never wished to come here at all—the policeman brought it here—I would not have prosecuted the child for 1000*l.*—the studs are his own—he never took any thing before.

JOSEPH NEAL. I am a policeman. The prosecutrix sent for me, and told me if I could find her son to take him—I met him, and took him before a Magistrate, who ordered me to trace the property—I found it pawned in his own name.

LOUISA MARIA TOTTEM. The prisoner came into my shop with two shirt-studs and a silver thimble for sale—I told him I could not purchase them, as my husband was absent, and we never took property from boys or girls—they were afterwards found at the pawnbroker's—I am positive these are the things he offered to me—(*looking at them*).

NOT GUILTY.

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948. HENRY HAGGETT was indicted for stealing, on the 22nd of January, 10 quarts of beans, value 1*s.* 6*d.*; 6 quarts of oats, value 18*d.*; and 1 quart of chaff, value 3*d.*; the goods of Charles Burrows and another, his masters: and THOMAS BRETT, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

CHARLES BURROWS. I am a coal-merchant—I am in partnership with Mr. Parker, and carry on business at the City-road basin. The prisoner Haggett drove one of our teams for five or six weeks—I know Brett—we served him with coals for some considerable time—he lives in Clerkenwell—I had frequent dealings with him, and always found him correct—he keeps a coal-shed—Haggett went out on the 22nd of January with coals—there was a nose-bag of beans, clover, and corn for the horses—the provender in the bag belonged to us, and if the horses did not eat it it ought to be returned to us—Brett had been in the habit of carting his own coals from our wharf—we very seldom sent our teams to his place—it is evident on this occasion the horses did go with the coals.

Cross-examined by MR. DOANE. *Q.* How long have you dealt with him? *A.* Between seven and ten years—I always found him correct in his dealings—he has a family—the first communication I had of this was made by my boy on the 29th of February—Brett was brought into my counting-house in custody—I had not ordered the police to take him—I was much grieved when I saw him in custody—I offered to become bail for him after hearing the charge against him, and brought another gentle-

man to bail him also—I did not wish him to be locked up—I believe he had no felonious intention—he said there was a little corn remained in the bag, which the horses blew upon—he said he had received a little blown meat—he could not have been in the habit of receiving this, as it was very unusual for my horses to go to him.

CHARLES THOMAS. I go out with Mr. Burrows's teams, to unload coals. On the 22nd of January I went to deliver coals at a public-house near Brett's—I did not shoot any coals at Brett's—we shot them at a public-house three or four doors from Brett's—we had two nose-bags—we did not put them on the horses—they were filled with corn and beans, and a little chaff on the top—Haggett sold the contents to Brett for 8*d.* and a pot of 4*d.* ale, for both bags—they were full—there was more beans than corn or chaff among it—Haggett backed round the horses to Brett's back-way, and Haggett took the nose-bags, and gave them to Brett, who took them up into his loft—as he went up stairs he asked Haggett how much he was to give for them—he said a shilling—Brett said that was too much—he brought the nose-bags down again empty.

Cross-examined. Q. Is it not usual when carmen go with coals to ask for beer from the people they serve? *A.* Yes—I did not hear Haggett ask the publican to allow him something—Brett asked if the publican had given him any thing, and he said not—Brett gave him 8*d.* for the beans, and went to the public-house, and *stood* a pot of 4*d.* ale—that was in the bargain—we all drank of it—we got it for the corn—I did not sell the corn—I had seen this going on for five weeks as far as Haggett was concerned—I was afraid to tell of it—Haggett said he would kill me if I did—I told my master when I got him in private—I could never tell him before without being heard—my master told me I must not go out with wagons any more, but stop and cut chaff—it was then I told of it, because I thought that was the fit time when they could not do any thing to me, but I always meant to tell master—I told my master of it on Saturday, the 29th of February—it was three days before that that I went to Brett's—I told the Justice the day this happened—the horses had not had any part of the contents of the bags.

JOHN SAYER. I am a policeman. I received information of this from the boy through the master.

Haggett's Defence. He gave me 8*d.* and a pot of beer for shooting the coals, because the publican would not give me any thing.

NOT GUILTY.

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949. HENRY HAGGETT was *again* indicted for stealing, on the 26th of February, 10 quarts of beans, value 18*d.*; 6 quarts of oats, value 18*d.*; and 1 quart of chaff, value 3*d.*; the goods of Charles Burrows and another, his masters: and THOMAS BRETT, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

CHARLES BURROWS. I believe this is a mistake in the indictment—there is no second charge against Brett—the evidence in the last case refers to this transaction.

NOT GUILTY.

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950. HENRY HAGGETT was *again* indicted for stealing, on the 21st of January, 10 quarts of beans, value 18*d.*; 6 quarts of oats, value 18*d.*; and 1 quart of chaff, value 3*d.*; the goods of Charles Burrows and another, his masters: and BENJAMIN TINGEY, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

CHARLES BURROWS. I am a coal-merchant, and have a partner. Haggett was my carman to take out coals, and deliver them—I sent the nosebags out with corn to feed the horses with—it was his duty if they did not eat it all to return it to me—he was not authorised to part with any of the food—he had no gratuity—he had been about seven months in my employ, and for five or six weeks had had charge of a team—I did not deal with Tingey—I knew nothing of him—about the 20th of January, I believe, from the entry in our books, Haggett went out with coals—Thomas goes to assist occasionally—I believe he went out that day.

Cross-examined by MR. DOANE. *Q.* Thomas had ceased to go with the wagon about the time he made the communication to you? *A.* He had—I have inquired about Tingey's character, and have heard a very respectable one up to the present time.

CHARLES THOMAS. I live with Mr. Burrows, and went out with the teams of coals—I went out with coals with Haggett—I do not know what month it was in—it was about six weeks ago and better—the first time we went to the Mother Red Cap public-house, near Highgate, and before he began to unload the coals, a man, like a countryman, stood by—he went up to him, and asked if he would buy the corn—the man said he would, and then Haggett took the nosebags off the wagon, took them over to a shed on the other side of the road, and emptied them into a manger—the man agreed for 8*d.*, and when they were unloaded he said he would give him a quartern of gin instead—Haggett would not take that, and sent me back to take the *grub* away, but the man afterwards agreed to give him 8*d.*—the horses had not had any of the food at all—it was oats, chaff, and beans—I know Tingey, by seeing him at a public-house—he had nothing to do with those nosebags—about eight or nine days afterwards we went to George's-place, Holloway—Haggett did not put the nosebags on the horses while he was unloading the coals there—in coming back he pulled out of his way, came to the Pied Bull public-house, and delivered two nosebags of food to Tingey there—I had seen him before that at another place—the nosebags were full when Haggett gave them to him—they were returned empty—Tingey paid Haggett 8*d.* and a quartern of gin for them—the horses had had none of the corn at all—I do not know whether Tingey keeps the house there—I had seen him once before, when he bought two nosebags, at another place.

Cross-examined by MR. DOANE. *Q.* This was six or seven weeks ago? *A.* It is better than six weeks ago—I did not tell my master of any thing till the 29th of February—Haggett went out of his way to give this corn, he might have turned down a road which was twenty-four or twenty-five yards nearer—there was a public-house near where he shot the coals.

CHARLES BURROWS *re-examined.* I had my reasons for stopping Thomas from going out with the horses—I had told him not to allow any of the men who went out with the horses to come into the granary, but to let the corn down through a shaft to them, and to remain there—I had not the slightest reason to complain of him, but made him stop at home to take care of the corn.

JOHN SAYER. I apprehended Tingey.

Cross-examined by MR. DOANE. *Q.* When you took Tingey, did he not say he knew nothing about it? *A.* He did.

JURY *to* CHARLES THOMAS. *Q.* Where was the corn put? *A.* He took it into the stable—I saw him pay for it.

(Several witnesses gave Tingey a good character.)

HAGGETT—GUILTY. Aged 38.—Transported for Seven Years.

TINGEY—GUILTY. Aged 36.—*Recommended to mercy.*—Confined Three Months.

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951. JOHN EMERY was indicted for stealing, on the 5th of March, 13 earthen-ware jugs, value 2*s.* 6*d.*; 12 earthen-ware basins, value 1*s.* 6*d.*; the goods of Richard Evans, in a certain boat, upon a certain navigable canal, called Regent's Canal.

GEORGE COMPTON. I am a policeman. On the 5th of March I was on duty at Paddington, near the Regent's-canal—at two o'clock in the morning I met two women, carrying a parcel of crockery, about two hundred yards from where there was a boat lying—I questioned them—they told me how they got them—I took them to the station-house—I then went and took the prisoner out of the boat the girls mentioned—I found him on board about three o'clock—I charged him with giving the girls the crockery—he said he gave nothing away but what was his own.

SAMUEL BOOTH. I am captain of the boat which laid in the Regent's-canal—it came from Derbyshire—Richard Evans was the owner—I had employed the prisoner on board only two days—I met with him at Tring—the boat had crates of crockery, and some of it was loose—when I heard of this I went to the station-house, and saw the prisoner and the crockery—I could not swear to the crockery—I believe it came out of the boat, which the prisoner was in care of—I missed it from the boat—it was worth about 4*s.*

JANE PERRY. I am an unfortunate girl. I was coming down Brown-street at night, and met Harriet Cusen—two young men were with her—we went into the Burns' Arms public-house, had something to drink, and then went round to the Phœnix public-house, and had something to drink—we then went to the boat—the prisoner was one of the young men—they wanted us to go with them without pay—we refused—the prisoner asked Hannah Cusen if she had a handkerchief—she said she had not—he said he had some articles to give us—Cusen asked if he had a right to give them to us—he said, "Yes," he was captain of the boat, and he gave us these things into our aprons—I was leaving the boat, and he pulled me back, and would go with me.

HARRIET CUSEN. I was with Perry, and met the prisoner and another—the prisoner gave us the crockery—he said he was the captain, and he was to give the chipped crockery away, but this was not chipped—we told the policeman directly how we got it.

Prisoner's Defence. I never gave them any.

JURY *to* SAMUEL BOOTH. *Q.* Could these girls have got to your boat? *A.* Yes—they had been in the cabin—they could have got at the property.

GUILTY. Aged 23.—Confined Three Months.

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952. THOMAS DAVIS was indicted for unlawfully assaulting George Crab and John Saunders, with intent, &c.; to which he pleaded

GUILTY.—Confined Two Years in the Penitentiary.

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953. ELIZA BURGESS was indicted for concealing the birth of her child; to which she pleaded

GUILTY.—Judgment Respited.

954. WILLIAM BROWN was indicted for breaking the dwelling-house of Henry Wall, on the 15th of February, with intent feloniously to enter the said dwelling-house, and the goods and chattels therein feloniously to steal; against the Statute, &c.

HENRY WALL. I am a tailor, and live in Tabernacle-walk, Finsbury, in the parish of St. Luke—it is my dwelling-house. On the 15th of February, a little after four o'clock in the afternoon, I heard my shop window cracked two or three distinct times, and on going there I observed it had been cracked—I remained there, and saw the prisoner return and break the window in with his hand, or some instrument in his hand—I went to the door, took hold of him, and brought him back to the shop, and while I was waiting for a policeman he assaulted me and a man who I called in to my assistance, and also my wife, by striking us—he kicked me in a certain place, and he struck the person I called in in the face, and gave him a black eye, and he did a good deal of damage in the shop—I had satin waiscoating and different articles in the window—we detained him till a policeman arrived.

Cross-examined by MR. DOANE. *Q.* Was not violence offered to him first? *A.* No, except I *collared* him to detain him—I was watching him through the window—there was a curtain to my window—I was looking under the curtain—I saw him deliberately return to the window, and break the glass in.

——— COLLINS. Wall called me—I went, and found the prisoner, and assisted in detaining him—Wall accused him of breaking the window—he tried to get away, and told me to let go of him, which I did, he then rushed to the door, but was detained—he pulled himself away from me, and struck me in the face.

THOMAS WILLIAM TAYLOR. I am a policeman. I took him in charge—the last witness had a black eye—I searched the prisoner, and found on him a piece of wire, which I lost in the scuffle—it would be useful to draw goods through the window.

(The prisoner received a good character.)

GUILTY. Aged 33.—Confined Six Months.

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955. THOMAS KYLE was indicted for a misdemeanor.

THOMAS HORNER. I live in Lincoln's-inn-fields. On the 24th of February, I went into a public-house in Stepney, kept by Joseph Downey, with two friends, to take refreshment—I did not know the prisoner before this—I had some gin and water—the prisoner supplied the liquor, he was the servant—I ordered three sixpennyworths of gin and water—it is customary to pay for it when delivered, and I put down 2*s.*—I said, "My boy, it must be a mistake, there cannot be sixpennyworth in each glass"—he said, "Yes, there is, it is what I have paid for at the bar," and I paid him 1*s.* 6*d.* for three glasses—my friends took two more glasses afterwards, and I paid 1*s.* for them—on coming down stairs I inquired of the person at the bar what she charged for it—she said, "Fourpence a glass"—I told her what I had paid—a policeman was sent for, who took the prisoner in charge.

Cross-examined by MR. DOANE. *Q.* Did you order it of the prisoner? *A.* Yes—I said, "Give me three sixpenny glasses of gin and water"—I did not taste it before I complained—I complained of the quantity in the glasses when I said, "It must be a mistake"—he said he had not made a mistake, it was what he had paid for at the bar—he said he had paid 6*d.* for each glass.

SARAH MIDDLETON. I am the bar-maid. I served five glasses of gin and water—the prisoner was the waiter—he pays for what he has before it leaves the bar—these were 4*d.* a glass—he paid me 1*s.* 8*d.*, and no more—he had been there nine months.

GUILTY. Aged 18.—Confined Six Months.

956. JAMES POULTER was indicted for a misdemeanor.

NOT GUILTY.

957. THOMAS PRATT was indicted for assaulting Thomas Barry, with intent, &c.

GUILTY.—Confined Two Years in the Penitentiary.

NEW COURT.—*Monday, March 9th*, 1840.

Fifth Jury, before Mr. Common Sergeant.

958. CHARLES SMITH was indicted for stealing, on the 2nd of March, 1 waistcoat, value 4*s.*, the goods of Thomas William Bluett.

FRANCIS GODDEN BLUETT. I live in Brewer-street. I saw this waistcoat safe on the 2nd of March, about two o'clock in the afternoon—I was told it was stolen, and I went, by direction of the witness, about ten doors up the street, and overtook the prisoner—I told him he had got a waistcoat of ours—he said he had not, and he opened his coat to show me—I brought him back, and this waistcoat was given out of a shop.

Cross-examined by MR. PAYNE. *Q.* It is your brother's waistcoat, is is not? *A.* Yes—his name is Thomas William Bluett—the prisoner came back easily with me—I was nearer to him than the other witness, but I did not see him throw away the waistcoat.

JAMES VENN. I live in Brewer-street, Somers'-town. About a quarter to three o'clock, on the 2nd of March, I was standing at our shop-door, and saw the prisoner and another go to the prosecutor's, which is nearly opposite—the prisoner took the waistcoat, put it under his coat, and went off—I went and told of it—the witness went after him, and just before he got to him I saw the prisoner take the waistcoat from under his coat and throw it into a grocer's shop—I saw that it was a green waistcoat—I am sure the prisoner is the person—the grocer's young man gave the prosecutor the waistcoat.

Cross-examined. *Q.* How far were you from him when you saw him? *A.* On the opposite side—the street is about thirty yards wide—the other person who was with the prisoner walked the other way—my master is a clothes-salesman.

ROBERT ECCLES (*police-constable S* 73.) I took the prisoner, and received the waistcoat from the prosecutor—the prisoner said he knew nothing about it.

GUILTY.* Aged 19.—Transported for Seven Years.

959. MARY IRESON was indicted for stealing, on the 1st of March, 6lbs. weight of pork, value 4*s.*, the goods of William Jones.

GEORGE VAUGHAN. I live with William Jones, in Great Chapel-street, Westminster; he is a butcher. On Sunday morning last, about a quarter before eleven o'clock, I was cutting up a side of pork—the prisoner came in—I turned, and saw her take a hand of pork and put it under her cloak

—she went to the block, where some other persons were standing—she then went to the front board, and looked at some pieces of beef, and had them weighed—I was at the door—she went out—I let her walk a short distance; I then fetched her back, and found this hand of pork on her—it is my master's.

Prisoner. I beg for mercy for the sake of my child.

GUILTY. Aged 39.—*Recommended to mercy.*—Confined One Month.

960. ELIZA GODFREY was indicted for stealing, on the 14th of February, 1 shawl, value 10*s.*; and 1 waistcoat, value 10*s.*; the goods of Thomas Allen.

MARY ALLEN. I am the wife of Thomas Allen; we live at Saffron-hill. The prisoner lodged with me—she left on the 14th of February, unknown to me—I missed a shawl, a waistcoat, and also a gown which I gave her to wash—she must have gone out at the private door, as I had been up all night whitewashing the shop—this shawl is mine—(*looking at it*)—I had not given her this to wash—the waistcoat and gown are not here—this shawl had been in a box in the parlour with the waistcoat, and she must have taken them when she came in to dress the baby.

MARY ANN REDMAN. I searched the prisoner at the station-house, and found this shawl on her shoulders, under another.

JOHN ARCHER (*police-constable G* 150.) I took the prisoner at a house in Black Horse-court, Fleet-street.

Prisoner. I went to live in Black Horse-court, and my mistress lent me this shawl while I washed my own.

MARY ALLEN *re-examined.* I know this is my shawl—I have had it several years, and here is a mark on the flower—it was white when I lost it—it is now dyed another colour. NOT GUILTY.

961. JOHN JORDAN was indicted for stealing, on the 27th of February, 1 lb. 14 oz. weight of mutton, value 9*d.*; and 3 lbs. 8 oz. weight of beef, value 1*s.* 3*d.*, the goods of Edward Anstee; and that he had been before convicted of felony.

WILLIAM PURSER. I am in the employ of Edward Anstee, a butcher, in Oxford-market. On the 27th of February, about nine o'clock in the evening, I was in the parlour, and saw the prisoner come and take from the board a breast of mutton and a piece of beef—he ran off—I pursued him to Tichfield-street—he first dropped the beef in the market, and then he threw the mutton over an area—a gentleman stopped him—he was brought back, and the mutton was found.

Prisoner. *Q.* Did you see me drop the beef? *A.* Yes, and you threw down the mutton—you took the mutton first and then the beef—I did not lose sight of you.

Prisoner. The mutton was taken half-an-hour before the beef, by another boy. *Witness.* There was another boy with him, but the prisoner took them both.

JOHN BLOOM (*police-constable E* 98.) I took the prisoner—the meat would not keep, but I have the bone of the beef here—a man living in the market brought back the beef—a boy went in the area and got the mutton—the prisoner said he did not take the mutton, but a boy with him did.

Prisoner's Defence. I was standing at a public-house—a boy named

Peter Rogers asked me to go with him on an errand—he had a parcel under his arm, and asked me to carry it, which I did—we then stood for a quarter of an hour hearing the band play—he then went up the market and took the beef, and *chucked* it at me—it fell at my feet—he ran away, and I ran too—as I ran, the handkerchief that was round the parcel flew open—I saw I had the mutton, and I *heaved* it away—I ran on and two gentlemen stopped me.

HENRY BACON (*police-constable E* 61.) I produce a certificate of the prisoner's former conviction from the Sessions-house, Clerkenwell—(*read*) —the prisoner is the person who was tried.

GUILTY. Aged 14.—Transported for Seven Years—Convict Ship.

962. HENRY JOHNSON was indicted for stealing, on the 15th of February, 1 coat, value 3*l.*, the goods of Charles Knight, to which he pleaded

GUILTY.* Aged 23.—Transported for Seven Years.

(There was another indictment against the prisoner.)

963. JAMES BRICE was indicted for stealing, on the 29th of February, 2 printed books, value 1*s.* 9*d.*, the goods of Robert Baker, his master.

RICHARD WOODLEY. I am shopman to Mr. Robert Baker, a bookseller in Chancery-lane—the prisoner was the errand-boy for three or four months—he was to have left on Saturday the 29th of February, but he begged to stop till Sunday morning—on the 29th he begged to go out for a quarter of an hour to see his brother—these two books (*looking at them*) were safe in the shop on the Saturday morning—I received information, and missed them about seven or eight in the evening—they are my master's.

FREDERICK MUNTING. The prisoner brought these books to my shop, and offered them for sale, on the Saturday evening—he said they were his own.

GUILTY.* Aged 17.—Transported for Seven Years—Convict Ship.

964. ESTHER HAWKINS was indicted for stealing, on the 23rd of February, at St. Leonard, Shoreditch, 1 trunk, value 2*s.*; 1 cloak, value 1*l.*; 6 pairs of stockings, value 5*s.*; 3 gowns, value 1*l.* 4*s.*; 1 bonnet, value 15*s.*; 3 aprons, value 3*s.*; 1 shift, value 1*s.*; 3 handkerchiefs, value 2*s.* 6*d.*; 1 petticoat, value 1*s.*; 1 bed-gown, value 1*s.* 6*d.*; 4 yards of linen cloth, value 4*s.*; 33 yards of lace, value 4*s.*; 2 caps, value 2*s.* 6*d.*; 2 shawls, value 7*s.*; two printed books, value 7*s.*; 1 pencil case, value 1*s.* 6*d.*; 1 brush, value 6*d.*; 2 sovereigns, 2 shillings, and 1 sixpence, the property of Catherine Mountjoy, her mistress, in her dwelling-house.

CATHERINE MOUNTJOY. I am a widow, and live in Newton-street, New North-road, Shoreditch—it is my dwelling-house—I carry on the straw business—the prisoner was in my service—I left her on a Sunday evening at home while I went to chapel, and when I returned she had absconded—I don't know the date—I found there was no light, and I was much alarmed —my lodger opened the door to me—I then missed this trunk, the cloak, and the other articles stated—(*examining them*)—they are mine, and are worth more than 5*l.*—I gave notice at the station-house, and the prisoner was afterwards taken into custody.

MARY LAWRENCE. I live in Brick-lane, Bethnal-green—the prisoner had lodged with me—about nine o'clock at night, on Sunday, the 23rd of February, she brought two boxes to my house—this trunk (*looking at it*) is one—she had her mistress's gown and bonnet and cloak on at the time—she said her mistress was gone to Ramsgate to meet the Rev. Mr. Creswell, and

she was to follow her on the Monday, and her mistress had lent her the cloak to keep her warm—I went the next morning and took the boxes to the wharf, but there was no packet went that morning—I afterwards went to her mistress, gave information, and she was taken.

HENRY WILLIAM DUBOIS (*police-sergeant N* 14.) I went after the prisoner from information, and found her at Stratford—I asked her for her purse, she gave it me, and there was only 5*s.* in it—I asked her where the two sovereigns were—she did not answer—I found in her purse this ticket of the wharf—I went there and found this trunk containing the property—she had this bonnet and cloak on at the time—she said she was persuaded to commit the robbery by her father, that he was in the house and assisted her to break the cupboard open, and that he was then at Dover—I found on the trunk this direction, "Miss Hawkins, passenger to Ramsgate"—she afterwards told me she had spent the money in buying a number of things which I have here.

GUILTY. Aged 20.—Of Stealing under the value of 5*l.*—*Recommended to mercy.*—Transported for Seven Years.—Recommended to be confined One Year in the Penitentiary.

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965. CHARLES STONE was indicted for stealing, on the 4th of March, at St. Dunstan, Stebonheath, *alias* Stepney, sixty-two yards of linen cloth, value 3*l.* 2*s.*; forty yards of printed woollen stuff, value 2*l.*; one table cover, value 1*s.* 6*d.*; four pairs of mits, value 4*s.*; three pairs of gloves, value 3*s.* 6*d.*; one habit-shirt, value 4*s.* 6*d.*; and one yard of calico, value 3*d.*; the goods of Matthew Henry Strutt, his master, in his dwelling-house.

MATTHEW HENRY STRUTT. I am a linen-draper and live in Portland-place, Commercial-road—the prisoner was my shopman for a week or ten days—on the 3rd of March he told me he had some friends who required goods, and if I could spare him an hour he would go and sell some—he took out some, and amongst them a shawl and a table-cover—he returned and said he had sold the table-cover and the shawl, and he would bring me the money in the evening, when he was to take more goods—he went in the evening and I waited up for him—he did not come—I went to bed, and soon after twelve o'clock I heard a knock, but I did not go to answer it—in the morning one of my shopmen said, "Stone is off with his boxes"—I went out and saw him returning—I took him back to my house—he had left his boxes at the Metropolitan Parcels Delivery Company's Office—I went with a policeman and searched a box there—I found in it this property, (*examining it*) which is mine, and has my mark on it—it is worth 6*l.* or 7*l.*—they were taken from my dwelling-house, which is in the parish of St. Dunstan, Stepney.

Cross-examined by MR. PAYNE. *Q.* On the Friday previous had you not let him go out and sell some goods? *A.* I believe he did—he told me he had some friends who wanted some goods, and he sold a shawl for 12*s.*, he brought me the money and the other goods back—I knew the box in which I found this property—I had seen it in the prisoner's bedroom three or four times—I knew it from its having a large padlock on it—I met him coming back to my house, and collared him—it was a deal box, two feet by two-and-a-half feet perhaps, but I never saw so large a padlock on so small a box before.

GEORGE MATTHEWS. I am in the prosecutor's service—I remember the prisoner coming home on the morning of the 4th of March—he knocked at

the door—one of the shopmen told me to go to the door, which I did, and the prisoner came in—I then saw him on the top of a piece of wood in the shop getting down some Irish—I did not see him take them up stairs, but I saw him come down with the box on his shoulder—I followed him out to the Parcels Delivery Company, and then I gave information—he said he was going to *sack* himself.

Cross-examined. Q. Had he got a Macintosh on? A. Yes—he said he got tipsy the night before, and lost his money—he was coming back with me when my master collared him in the street—he said he had had a legacy of 1400*l* left him, and was going to take a public-house—he asked me to go and live with him.

SAMUEL WIGGENS (*police-constable K* 73.) I saw the box opened, and produce the contents of it.

Cross-examined. Q. Have you kept them ever since? A. Yes, they were in the box till I came here—there was nothing particular about the box—it had a large padlock.

GEORGE WILLIAM GRAVES (*police-sergeant K* 11.) I have a table-cover and a shawl, some calico, some silk mitts, and a purse, which I found at Sophia James's.

Cross-examined. Q. Did it appear that the prisoner was under the influence of liquor? A. Yes, he had been drinking a good deal.

SOPHIA JAMES. I live in Dean's-court, Old Bailey. The prisoner used to come backwards and forwards to my house—I bought this shawl of him for 12*s*. 6*d*.—he left the table cover and the other things which the officer has produced till he called for them.

Cross-examined. Q. When did he leave them? A. On Sunday morning—this shawl is my own—I would not take my oath to this purse, but there was one like it, and I mended it.

MR. STRUTT *re-examined.* I believe this table cover to be mine—the prisoner's box was directed to Sophia James, 5, Dean's-court, Old Bailey—the whole of the things found are worth more than 5*l*.—the value of the things taken the night before, which he did not account for, was about 16*s*. 9*d*.

GUILTY. Aged 23.—Confined Six Months.

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966. WILLIAM WITHERS and HENRY WORMS were indicted for stealing, on the 27th of February, one shutter-bolt, value 1*s*.; the goods of Joseph Hawkins.

GEORGE MADDOCKS (*police-constable G* 40.) About nine or ten o'clock at night on the evening of the 27th of February, I saw the two prisoners—Worms had his hand on a piece of putty on a broken square of glass in Mr. Hawkins's window, and Withers was looking in at the shop—they then went on and went round the corner—I afterwards took them, and found in a bag which Withers had, these two bolts, one belongs to Mr. Hawkins, and one to Mr. Shepherd.

Cross-examined by MR. PAYNE. Q. You took them into custody at Mr. Shepherd's, did you not? A. I stopped them in Guildford-street—Mr. Hawkins's house is at the corner of Margaret-street, Clerkenwell—I did not see any thing taken by any body—the prisoners did not attempt to escape.

JOSEPH HAWKINS. I lost this bolt from my shop on the evening of the 27th of February.

Cross-examined. Q. You cannot swear to this being yours? A.

No—I believe it is mine—I had one safe about seven or eight o'clock that evening—this one is the same length as mine, but it is rather bent now, and would not go in as it is. NOT GUILTY.

967. WILLIAM WITHERS and HENRY WORMS were *again* indicted for stealing, on the 27th of February, 1 shutter-bolt, value 4*d.*, the goods of Theophilus Shepherd.

The prosecutor's name being Theophilus *Edward* Shepherd, the prisoners were ACQUITTED.

968. GEORGE ROBINSON was indicted for stealing, on the 29th of February, 1 coat, value 10*s.*; the goods of Thomas Vesper and another.

RICHARD RILEY. I am shop-boy to Thomas Vesper and another—their shop is in the Commercial-road. On the 29th of February I hung a coat in front of their window outside, the prisoner came under the ladder I was standing on, and took the coat off the nail, before my eyes—he ran off—I ran down the ladder, and ran after him—he got a little way down Lucas-street, and there he threw down the coat—I still ran after him—he got to the end of Johnson-street, and went into a shop—the officer went in and took him—as he was running he stopped under an archway, and *heaved* two bricks at me.

Cross-examined by MR. PAYNE. *Q.* Did you lose sight of him at all? *A.* No—he only went down one turning—I was about twenty yards from the prisoner when he went into the shop.

EDWARD GEORGE STONE (*police-constable K* 209.) I heard a cry of "Stop thief"—I saw the prisoner turn the corner of Johnson-street into Lucas-street—he ran into a shop, and I took him.

Cross-examined. *Q.* Was nobody else running in the same direction? *A.* Not that I saw—Riley was running after him.

GUILTY. Aged 17.—Confined Six Months.

969. THOMAS PROUT was indicted for stealing, on the 3rd of March, 7 wooden pails, value 7*s.*; the goods of William Mills.

WILLIAM MILLS. I live in Holles-street, Clare Market, and am a tin-plate worker. On the 3rd of March I was at work in my cellar—Brown, who was with me, said something—I went out, and saw the prisoner running down the street with seven pails on his shoulder, which had been taken from my door—he dropped some of them—I ran and overtook him with the rest of them—he turned round to me in a frantic manner—I seized him—he seemed hardly conscious of what he did.

Prisoner. *Q.* What kind of wood were they? *A.* I do not know.

THOMAS BRAWN. I heard the pails move, as I was in the cellar with my master—I looked out, and saw the prisoner with them on his shoulder in the street.

(*The prisoner in a long address, stated, that he made pails, and carried them about for sale: that on that day he put down three pails in the street while he went into a public-house, and when he came out he had taken up three pails which he supposed were his own, and that he had no more than three.*) NOT GUILTY.

970. JOSEPH CLEADON and JOHN SAVAGE were indicted for stealing, on the 11th of February, 36 bottles, value 3*s.*; and 6 gallons of wine, value 6*l.*; the goods of Charles Franklin.

CHARLES FRANKLIN. I keep the King William the Fourth public-house, in Exeter-street, Lisson-grove. On the 11th of February I was called into

my tap-room, and told a man had hurt his leg—I found a large hole in the floor —I thought it had been done accidentally—I sent for a carpenter, and had some new flooring put down—in the afternoon, between four and five o'clock, I was called in again, and found the new flooring taken up, and an opening made large enough to admit a man through into my wine-cellar, which is immediately under the tap-room—a witness intimated something to me, and I charged several persons who were in the tap-room with getting into the cellar and taking the wine—I examined the tap-room, and found eight bottles of wine on the floor, close by the hole, which had no business there —I have no doubt it was mine, in consequence of the bin being disturbed, as the wine had been taken out very carelessly—I sent for the officers, and gave charge of the two prisoners, who were there—five or six other persons were there, but they got away—I had seen the prisoners come in in the morning.

Cross-examined by MR. PAYNE. *Q.* About how many persons were in the tap-room when you first went in? *A.* At one o'clock I think there were twelve or fifteen—I think there had been dancing going on there, but I did not go in till I was called—the tap-room is about twenty feet from the bar—I did not see that the prisoners were not sober—they had been staying there all the morning—I do not know exactly at what time they came; perhaps about ten o'clock, and at one o'clock I perceived the hole near the fire-place, and had it mended—I did not see any bottles then—I went in again between four and five o'clock, and then found the bottles—I think there were about a dozen persons there then.

JAMES SNELLING. I am a plasterer, and live in Carlisle-street. I was at the William the Fourth public-house that day—I saw the two prisoners come in about three o'clock—they were three parts intoxicated—they had not sat long before Savage said, "We will have some more"—I did not know what he meant—I sat about three-quarters of an hour, and Savage again said, "We will have some more at all events; who has got a knife?" —I said I had one—he said, "Let me have it'—I said I would not—he said he would beat my brains out with a gridiron; and then an Irishman who was there went out and brought in a coal-chisel—they wrenched up the boards, and jumped upon them; then Savage went down and handed up two or three bottles—I went out into the grounds, and told what I had seen—I heard Savage say to a man that they had taken fifteen or eighteen at the first going off.

Cross-examined. *Q.* Did you stand by and see all this? *A.* No; I was sitting there—I was sober, but the prisoners were not—I have been taken up and tried for an offence, and imprisoned—that is four years ago —I have been getting my living by work ever since—I worked for Mr. Salter all last summer as a plasterer, but I was out of work three weeks or a month, as we had finished the job I was at work at—I was in trouble two years ago last Christmas, but not since then—when I heard the conversation between the prisoners in the tap-room, there was a dozen persons there at least.

COURT. *Q.* What did Cleadon say? *A.* He told Savage to be quiet, and leave it alone; he thought they had had enough—what he meant I do not know.

WILLIAM WHITEHEAD. I am waiter at the Champion public-house. I saw Savage and another person come into the Champion tap-room between

twelve and one o'clock that day, and Savage had two bottles, one in each pocket.

DANIEL SHELVEY (*police-constable D* 102.) About half-past four o'clock I was called in to assist in taking the prisoners.

JAMES CLARKE. I am a plasterer, and have a certificate of the prisoner Savage's former conviction, which I got at Mr. Clark's office—(*read*)—Savage is the man who was tried—I was an officer then, and I took him.

SAVAGE—GUILTY. Aged 26.—Transported for Seven Years.

CLEADON—NOT GUILTY.

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971. FREDERICK BUTCHER was indicted for stealing, on the 24th of January, 1 handkerchief, value 2*s.*, the goods of John Fox, from his person.

JOHN FOX, I live in Basinghall-street. On the 24th of January, about five o'clock, I was in the Old Jewry. I felt something touch my pocket—I turned, and saw the prisoner close behind me—I was walking arm-in-arm with a gentleman—I saw my handkerchief in the prisoner's left hand—I took him by the collar, and charged him with it—he tried to get away, and struggled—I took the handkerchief from him—this is it—(*looking at one*)—it has my initials on it—I held him till the policeman took him.

JOHN BARKER (*City police-constable, No.* 288.) I was called, and took the prisoner—the handkerchief was given to me by the prosecutor.

Prisoner's Defence. I was going down the Old Jewry, and picked it up—I was going after the prosecutor with it.

MR. FOX *re-examined.* I think it could not have dropped; there was not time for it from the time I felt the touch till I saw it in his hand—it was done all in a moment—he was close to the wall and close to me—it was very dirty at the time, and the handkerchief was not dirty at all—I had not used it for some time.

GUILTY. Aged 19.—Judgment Respited.

ESSEX CASES.

Before Mr. Common Sergeant.

972. ELIZABETH JAMES was indicted for stealing, on the 17th of February, 2 rings, value 3*l.*, the goods of Edwin Stokes, her master.

EDWIN STOKES. I live at Woodford. The prisoner came to live with me on the 10th of February—I had no character with her—I missed two rings on the 12th from my bed-room—she continued with me till the Saturday—I charged her with it, and she denied it—(*looking at a ring*)—this is mine.

EDWARD WINTER. I am a pawnbroker, at Epping. This ring was pawned by the prisoner on the 17th of February last.

Prisoner's Defence. I picked it up under the parlour carpet.

GUILTY. Aged 19.—Confined Six Months.

Before Mr. Recorder.

973. JOHN QUY was indicted for stealing, on the 28th of February, one bushel and a half of wheat in the chaff, value 10*s.*; and 1 sack, value 1*s.*; the goods of Richard Adams, his master.

RICHARD ADAMS. I live at East Ham, on the Barking-road. On the 28th of February the prisoner was one of my labourers—some of my men were engaged in threshing—I have some wheat in chaff—I have compared the wheat in chaff found in the sack, which the prisoner is charged, with taking with the bulk in my possession—they correspond in quality and appearance—it was wheat of last year, and had not turned out so good as I thought it would.

Cross-examined by MR. PAYNE. *Q.* Have you any of the wheat here at all? *A.* The officer has that found in the sack, but here is none from the barn—it is red wheat and white chaff—to the best of my belief it is mine—I have no doubt of it—the prisoner has been my servant six years—he has been in the family fourteen years—he says he cannot read or write—there is gleaning at harvest time in my fields.

PAUL DONOVAN (*police-constable K* 319.) On the 28th of February I was going my round at East Ham, and met the prisoner in a bye-road which leads to East Ham church—that would lead from the prosecutor's farm to the prisoner's lodgings—he had a sack with him—I asked him what it was—he made some answer which I could not understand—I told him to stop—he threw the sack down and ran away—I pursued and took him—I took him back to the sack—I then asked him again what it contained—he told me corn, and begged very hard for me to let him go—he said he had a wife and six children, and it was the first thing he ever took—another officer came up—we took the sack to the station-house—I saw Mr. Adams examine it.

Cross-examined. *Q.* When did he say it was the first time? *A.* When I had hold of him—he said it repeatedly.

CHARLES COLYER (*police-sergeant K* 30) When the prisoner was brought to the station-house I went with Donovan to the prosecutor's, who went with us to the barn—I afterwards went to the prisoner's house—I found a box there containing about a bushel and a half of wheat—his wife said that was what she had gleaned in the summer—the sack contained from a bushel and a half to two bushels of wheat in the chaff.

GUILTY. Aged 40.—*Recommended to mercy.*—Confined Three Months.

Before Mr. Sergeant Arabin.

974. WILLIAM GRIMWOOD was indicted for stealing, on the 15th of February, 1 pair of breeches, value 12*s.*; 1 jacket, value 4*s.*; 2 pairs of stockings, value 1*s.* 6*d.*; and 4 handkerchiefs, value 2*s.*; the goods of William Free.

WILLIAM FREE. I am under-ostler at the Castle Inn at Woodford. On the 15th of February, I had my breeches, jacket, stockings, and handkerchief safe in my bed-room over the loft—I missed them that evening—the prisoner lived in that neighbourhood, but I did not know him—he had no right to have my things—I saw him on the 17th, and he had a jacket, a pair of breeches, a pair of stockings, and a handkerchief on, which are mine—these are them—(*looking at them*)—the re t of the things I have lost.

JOSEPH CRICKS (*police-constable K* 331.) I took the prisoner with this property on him in Tottenham-court-road.

Prisoner's Defence. I bought the things on the Sunday morning between eight and nine o'clock.

GUILTY. Aged 19.—Transported for Seven Years.

(There was another indictment against the prisoner.)

975. ROBERT BONES was indicted for stealing, on the 10th of February, 1 jacket, value 18*s.*; 1 shirt, value 2*s.*; and 1 handkerchief, value 6*d.*; the goods of William Shaw, in a boat, in a creek communicating with the river Thames.

WILLIAM SHAW. I am a fisherman, and live at Barking, in Essex. On the 10th of February, we were going out from Barking town, fishing—our boat was in the creek going to join our vessel in the Thames—the creek is about two miles long—I had my jacket, shirt, and handkerchief in the boat—I left the boat in the creek about half-way between Barking and the vessel—when I came back to the boat these articles were gone—the prisoner was at work at the marshes at the time—these are my articles—(*looking at them.*)

Cross-examined by MR. DOANE. *Q.* You have got all your property? *A.* Yes—it was not a usual place to leave the boat, but it blew a storm, and we could not get it to the smack—I lost these things on the day the Queen was married—I know there was a dinner given to the men at the workhouse to which the prisoner belongs.

JOHN RANSOM (*police-constable K* 328.) I found this property in the prisoner's possession in his own house—he lives three doors from the station—the Creek is at the end of Woodford-lane, about three-quarters of a mile from the heart of the town; but the boat laid up in the mud, as I was given to understand—the prisoner had got the shirt on his back—the prosecutor said he supposed it was his—the prisoner pulled it off, and gave it to him.

Cross-examined. *Q.* Did you not say "Come, *Bob*, where are these things? you had better give them up." *A.* No, sir—they had been asking him for them before, and I was told that he said, if he had known to whom they belonged he would have given them up before—he took the shirt off, went up stairs, and got the other things.

(The prisoner received a good character.)

GUILTY. Aged 37.—*Recommended to mercy by the Jury.*—Confined Six Weeks.

KENT CASES.

Before Mr. Recorder.

976. MARY ANN JONES was indicted for stealing, on the 22nd of February, 1 hearth-rug, value 8*s.* 6*d.*, the goods of Lewis Davis; to which she pleaded

GUILTY. Aged 18.—Confined Three Months.

977. WILLIAM SMART was indicted for stealing, on the 18th of February, 1 sack, value 2*s.* 6*d.*; and 5 pecks of oats, value 5*s.* 6*d.*; the goods of Obadiah Belsom, his master; to which he pleaded

GUILTY. Aged 62.—Confined Six Months.

978. DANIEL MUNRO was indicted for stealing, on the 16th of February, 1 smock-frock, value 3*s.* 6*d.*, the goods of Lewis Davis.

JAMES THOMAS MELLISH. I am shopman to Lewis Davis, a pawnbroker, at Green-end, Woolwich. On the evening of the 15th of February the prisoner and another man came, and bought a smock-frock for 2*s.* 3*d.*, and about ten minutes afterwards I missed another smock-frock, worth 3*s.* 6*d.*, from a pile of goods.

PHILIP MILLER. I am a baker, and live at Plumstead-common. On Saturday, the 15th of February, I was at Mr. Davis's shop, and saw the prisoner there with another man—I saw the prisoner take a smock-frock off a pile on the counter, fold it up, put it under the frock he had on, and go out with the other—I told Mr. Davis, and went with him after them to the Shakspeare public-house—Mr. Davis fetched a policeman, and went in after them—I waited at the door—I did not lose sight of the prisoner all the way from Mr. Davis's to the Shakspeare public-house, which is about a hundred yards—I did not know what became of the other man—I did not see him at the public-house.

EDWARD PALMER (*police-constable R* 231.) I went with Mr. Davis to the Shakspeare public-house, and saw the prisoner—I asked if he had any thing about him—he said, "No, that is my bundle that lies there"—I took it up, and these two smock-frocks were both in it together, one of which Mr. Davis pointed out as having been sold, and the other as being stolen.

Prisoner. I had the 2*s.* 3*d.* frock on the table, and the other was at the other end of the room. *Witness.* They were both together on a settle in a corner—I did not see one on the table.

JAMES THOMAS MELLISH *re-examined.* These are the frocks—they belong to Mr. Davis—it was the 2*s.* 3*d.* one I sold to the prisoner.

Prisoner. The other man had one. *Witness.* There was only one sold, and that was to the prisoner—I am not aware that I ever said it was to his companion—(*looking at his deposition*)—this is my signature—it was read over to me—I meant to state that I sold it to the prisoner.

(The prisoner received a good character.)

GUILTY. Aged 33.—Confined Six Weeks.

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979. ROBERT ELLIOTT was indicted for stealing, on the 28th of February, 1 spoon, value 2*s.*, the goods of Benjamin Smith, his master.

JOHN DOWSON. I am a pawnbroker, and live in Skilton's-lane, Greenwich. On Friday, the 28th of February, in the evening, the prisoner came into my shop with a silver tea-spoon—he laid it on the counter—I was busy at the time, having no one else in the shop—I suspected it was stolen—I took it up, looked at it, and was not able to make out the initials—the prisoner said, "It is old silver"—I said, "I suppose you want to sell it then?"—he said "Yes"—I asked his name—he said, "Smith, my mother sent me with the spoon, and the name of Smith is on it"—I put it on one side a little time, went to the door, and called an officer—I then told the prisoner I thought he had either found or stolen the spoon—he said he had found it on Deptford-bridge—I said the spoon appeared to have been used where there was a family—it seemed to have been bit—I asked him on which side the initials of "Smith" were—he said, "On the back"—it was "W. S." on it, which I believe are the initials of the person—I said it was Mr. Benjamin Smith's, the proprietor of the wharf—he said it was not, and I gave him in charge—he said afterwards his name was Robert Elliott.

GEORGE HARRISS (*police-constable R* 158.) I was called into the shop—the prisoner was having some conversation with Mr. Dowson—I asked him his name, and he said, "Smith"—that his mother's name was Smith—I asked where he worked—he said, for Mr. Smith, at Deptford-bridge—I said, "How do you account for the spoon?"—he said he had found it on Deptford-bridge—I took him into custody, and received the spoon from Mr. Dowson.

EMMA WHITE. I am servant to Mr. Benjamin Smith, a stone-mason, of Albion wharf. I know the prisoner—he is employed by my master to do any thing about the wharf—he comes into the kitchen sometimes—I had left a spoon on a mangle in the kitchen—this is Mr. Smith's spoon—I cannot swear he took it off the mangle—I left it there, and lost it—he was in and out of the kitchen on the day in question.

Prisoner's Defence. I found the spoon outside the house-door, but I did not think it belonged to the house—I found a gold brooch there before, and gave that to my mistress.

JOHN DOWSON *re-examined.* The prisoner's father has been employed by the prosecutor for a length of time, and has borne an irreproachable character—the prisoner was in his employ three months, and he knew nothing wrong of him—what he states about the brooch is a fact—he did find it on the premises, and gave it to his mistress—the prosecutor told me that the spoon might have been outside near his house, as he has a large family and the children might have thrown it there—the initials on the spoon are "M. H."—it was the property of his wife before their marriage, and they have others to correspond with it.

EMMA WHITE *re-examined.* The children might have carried the spoon outside and dropped it—the prisoner has seen me with these spoons—they were kept in the kitchen.

GUILTY. Aged 17.—*Recommended to mercy.*—Confined One Month.

Before Mr. Sergeant Arabin.

980. JAMES CARUSS was indicted for burglariously breaking and entering the dwelling-house of Thomas Lee, on the 22nd of February, about ten o'clock in the night, at Woolwich, with intent to steal, and stealing therein, 1 snuff-box, value 12*s.*; 2 seals, value 30*s.*; 1 watch-key, value 5*s.*; 1 ring, value 21*s.*; 2 penknives, value 1*s.* 6*d.*; 1 handkerchief, value 1*s.*; 1 scent-bottle, value 1*s.*; 2 sticks of sealing-wax, value 4*d.*; 2 medals, value 5*s.*; 8 pieces of foreign silver coin, value 8*s.*; 1 Bank-token, value 3*s.*; 1 half-crown, 2 shillings; and 7 pieces of silver coin, value 4*s.*; his property; to which he pleaded

GUILTY. Aged 24.—Transported for Ten Years.

981. JOHN KING and GEORGE WRIGHT were indicted for feloniously uttering counterfeit coin, having been before convicted of a like offence; to which they pleaded

GUILTY.—Transported for Seven Years.

Before Mr. Baron Alderson.

982. SUSANNAH JANE CHEESEMAN was indicted for stealing, on the 29th of December, 1 watch, value 6*l.*; 2 seals, value 1*l.*; 1 ring, value 10*s.*; 1 watch-chain, value 3*l.*; and 1 watch-key, value 10*s.*; the goods of John Collins, in his dwelling-house.

ELIZABETH COLLINS. I am the wife of John Collins, and live in King-street, New Town, Deptford, in the parish of St. Paul, Deptford. I employed the prisoner on the 25th of November to make some winter dresses for my family—she remained with me till the 29th—she came every morning, about half-past nine o'clock, and went home every night about half-past nine, or a quarter to ten o'clock—on the day she came I had a child come home from school ill with the scarlet fever—four more afterwards sickened with it, and the prisoner said she was ill, and could not stop—she seemed ill, and went away about half-past four o'clock—I did not

niss any thing till the night my child died, which was on the 26th of December, and that night I missed my gold watch, chain, and seals from a drawer in the back-parlour where I slept—I had worn it on my neck previously, but owing to the sickness in my family, I did not put it there—I saw it on the 27th or 28th of November—it is a small lady's watch, and is marked "E. C.," and I had scratched it several times in the face with the key, in winding it up.

Cross-examined by MR. PHILLIPS. *Q.* You employed the prisoner to make dresses for your family, did you? *A.* Yes, for which I paid her—I had known her three years—she had taught me the straw bonnet making—she did not lodge in my house before this, not to live in it—she certainly slept there sometimes, when she had been at work—she slept there at the time the Queen was crowned, perhaps two or three nights—she came to my house to work, and slept there.

Q. Did she come there with your knowledge innocently and morally to sleep in your house? *A.* No—she was not an innocent girl when she came to my house—she said she had been in the habit of seeing different gentlemen—I certainly knew her to be a gay girl when she came to my house, and I felt for her—I cannot exactly say how often she slept at my house after she told me that—she might come many times and I not know it—I am not going to tell you I do not keep a lodging-house—I do, and am not ashamed to own it.

Q. Is yours a house of such a description that young women may come into it without your knowledge, and sleep in it? *A.* No, but I might not have always been up when she came in—I allow persons to sleep there without my knowledge, if I know them—I do not make money by it—I do not mean to swear that I do not—I do not consider mine a proper moral house—I am asked for the truth, and shall not deny it—I was never paid any thing by her for sleeping there—the men that came with her paid me—I cannot tell who they were—I once sold the prisoner a small amethyst brooch and a ring—she was never in the habit of pledging things for me—I am not in the habit of letting strangers sleep at my house, and do not let a bed perhaps once in a month sometimes—my husband is a commercial traveller, and is away two or three months at a time—he is on his journey now, and is at Liverpool I believe—I cannot say exactly where he is—he left me on Saturday to go his journey—I was married to him at St. Margaret's, Westminster, and shall have been married thirteen years on the 11th of July next—I do not let lodgings in this way while he is at home, but I have eleven children, and I must do the best I can—they are not all living with me—I have two at school—I bring them up in a respectable way—they see no bad example in my house.

THOMAS NEWTON. I am a pawnbroker, and live in High-street, Borough. I have a gold watch pledged by the prisoner, on the evening of the 29th of November, for 5*l.*, in the name of Ann Collins—she said that was her name.

JOSEPH HARRIS PECKOVER. I am a pawnbroker. I have a gold chain and seals pledged by the prisoner, on the morning of the 30th of November, for 4*l.*, in the name of Mrs. West—she gave that as her own name.

Cross-examined. *Q.* I believe it is not at all unusual for persons pledging property to give another name than their own? *A.* Not at all unusual—I had seen her once before.

BENJAMIN LOVELL (*police-constable R* 15.) I apprehended the pri-

tomer on another charge—I asked her if she had any duplicates—she said, "No"—a person named Thorn, where she was residing at Woolwich, said, "Yes, you have"—she said, "I have sent them to Deptford, Mr. Lovell, to my mother's"—I went there, and the mother gave me some duplicates, which led me to the pawnbroker's—I told the prisoner on my return, that I had got a duplicate of a gold watch pledged at Mr. Newton's, and one of a gold chain and seals at Mr. Peckover's—she said, "I am well aware of that, a gentleman gave them to me at Mrs. Collins's, and Mrs. Collins well knows it"—that was before she was taken before the Magistrate on the charge—I did not then know whose property it was.

Cross-examined. Q. I believe there is no doubt at all of the kind of house Mrs. Collins keeps? *A.* She keeps a house for girls and gentlemen—she does not deny that.

MRS. COLLINS *re-examined.* This is my watch, and the one I lost—(*looking at it*)—here are my initials on the back—no gentleman could have given it to her, for during the four days she was in my house there was no gentleman or lady in the house.

(*Mr. Phillips, on the prisoner's behalf, stated that at the time of the Coronation she was trepanned by the prosecutrix into her house, and seduced, and that a gentleman gave her the watch.*) NOT GUILTY.

Before Mr. Baron Parke.

983. WILLIAM HENRY FOWLER was indicted for that he, on the 15th of August, feloniously did forge in a certain register of baptisms, marriages, and burials, which was then kept by the Vicar of the parish of East Malling, in the county of Kent, an entry of certain matter relating to a certain baptism; which said forged entry was as follows: "James;" against the Statute, &c.

(Nine other counts, varying the manner of laying the charge—to which he pleaded GUILTY.)

984. WILLIAM HENRY FOWLER was *again* indicted for that he, on the 15th of August, did insert, &c., in a certain register of marriages, baptisms, and burials, which was then kept by the Vicar of the parish of East Malling, in the county of Kent, a certain false entry of a matter relating to a supposed marriage, which said false entry is as follows: "May the 21st, married, George Fowler to Hannah Bassett;" which said entry, &c., denoted and signified that one George Fowler had been married to one Hannah Bassett at the parish church of said parish of East Malling on the 21st day of May, A. D. 1726; against the Statute, &c.

(Seven other counts, varying the manner of laying the charge—to which he pleaded GUILTY.) Aged 42.—Judgment Respited.

Before Mr. Sergeant Arabin.

985. FRANCIS FRAZER was indicted for stealing, on the 15th of February, 3lbs. weight of mutton, value 1*s.* 6*d.*, the goods of Mary Ann Cornish and another; to which he pleaded GUILTY. Aged 36.—Confined One Day.

986. BETTY LAVELL was indicted for stealing, on the 24th of February, 3lbs. weight of horse-hair, value 6*s.*, the goods of Elizabeth Runham; to which he pleaded GUILTY. Aged 70.—Confined Three Months.

987. GEORGE WHEATLEY was indicted for stealing, on the 6th of February, 2 drinking-glasses, value 2*s.* 3*d.*; and 1 spoon, value 1*d.*; the goods of Jesse Hill.

JESSE HILL. I keep a public-house in Hughes's-fields, Deptford. The prisoner had frequented my house about six months—on the 7th of February, he came about seven o'clock, and called for a pint of half-and-half—I went into the room where he was sitting about ten o'clock, and I saw his hat placed in a dark corner, and the tumbler now produced was behind it—in consequence of that I spoke to the policeman—the prisoner went away about ten minutes past eleven o'clock—I then went into the parlour, and missed the tumbler—I came back, and saw him in custody—the policeman showed me this tumbler—this other glass and this spoon were found on him at the station-house—they are all mine.

Prisoner. *Q.* Did you ever know a dishonest action of me before? *A.* No.

HENRY CHURCHER (*police-constable R* 109.) I took the prisoner when he got about one hundred yards from the prosecutor's house—I found this tumbler in his hat—I found this spoon and this small glass in his trowsers' pocket at the station-house.

Prisoner's Defence. I had been drinking all the evening, and when I came away I was rather the worse for liquor—I was not aware that I had it,

GUILTY. Aged 32.—Confined Three Months.

Before Mr. Common Sergeant.

988. JOHN PEALING and JOHN SHIPTON were indicted for stealing, on the 7th of February, 1 pair of boots, value 15*s.*, the goods of John Foley; to which they pleaded

GUILTY.—Confined Six Months.

Before Mr. Recorder.

989. WILLIAM MOULD was indicted for stealing, on the 12th of February, 1 pair of trowsers, value 21*s.*; the goods of Edward Jennings, his master.

EDWARD JENNINGS. I keep a clothes-shop in Greenwich market-place. The prisoner was in my employ nearly two years, and he had 8*d.* a day. On Wednesday, the 12th of February, the day they pay the tobacco-money in the College, the prisoner, who is a College man, went and got his money, and came back *groggy*—I never allowed him to sell or pawn a pair of trowsers—these trowsers are mine—(*looking at them*)—he was in the habit of arranging the things outside the shop, close against the windows, to sell—a shutter was put there, and the trowsers laid along it—they are new, and are worth 21*s.*—I had been to sea—I was not a shipmate of the prisoner's.

EDWARD CARTER. I am a pawnbroker, in Greenwich. These trowsers were pledged by the prisoner, on the 12th of February, for 5*s.*—he told me they were one of his shipmate's, not that they were his own—this is my name—(*looking to his deposition*)—this was read over to me—I stated at the time that he spoke about his shipmate.

JOHN DYKE (*police-constable R* 117.) I took the prisoner. On the road to the station-house he told me he had received the trowsers from a man whom he did not know, to pledge.

Prisoner. I said they were a friend's, who had asked me where there

was a pawnbroker's; I went to the pawnbroker's with them, and gave the man the money, and he gave me 6*d.*—I pawned them in the name of John Hunt, College, which was the name the man gave me. I did not say they were a shipmate's, I said a friend or an acquaintance. The pawnbroker knew me, as the prosecutor and his wife buy duplicates; they employ me to go and get the things.

EDWARD JENNINGS *re-examined.* I had had these trowsers some time, and the prisoner knew them well, and had put them out for sale.

GUILTY. Aged 46.—Confined Twelve Months.

990. JOHN SCOTT was indicted for stealing, on the 9th of February, 1 jacket, value 1*l.* 1*s.*, the goods of George John Fowler, in a certain barge, on the navigable river Thames.

GEORGE JOHN FOWLER. I am a seaman on board her Majesty's ship *Fearless*, she was in the Thames at Woolwich. On the 9th of February I missed a jacket from my hammock, about half-past eight o'clock—I reported this to the officer in command—the prisoner had been on board all day, and went on shore about half-past five o'clock—this is my jacket—(*looking at one*)—I had had it only an hour—here is a little mark inside the cuff that I know it by.

MARY WILLIAMS. I live in High-street, Woolwich. On the 9th of February, about twenty minutes to nine o'clock in the evening, the prisoner brought this jacket, and asked me to buy it—he wanted 16*s.* for it—I said I had no money—he said he had bought it in Dover, and gave 22*s.* for it—I said I would not give him more than 6*s.* for it, and he took it away.

GEORGE STEVENS (*police-constable R* 165.) I received information, and went to the Coach-and-Horses public-house, at Woolwich, on Sunday evening, between nine and ten o'clock—I found the prisoner there with this jacket.

GUILTY. Aged 25.—Confined Six Months.

Before Mr. Sergeant Arabin.

991. THOMAS ORME was indicted for stealing, on the 19th of February, 1 silver spoon, value 14*s.*, the goods of Edward White; to which he pleaded

GUILTY. Aged 23.—Confined Three Months.

Before Mr. Common Sergeant.

992. ANN TUPMAN was indicted for stealing, on the 16th of February, 3lbs. 8oz. weight of flour, value 10½*d.*, the goods of William Floyd.

WILLIAM FLOYD. I am a baker, and live in Greenwich-road, the prisoner was in the habit of coming to my shop. On the 16th of February I missed a quartern and a half of flour—I sent for a policeman—I marked one small bag and one large one—on Tuesday night, when I went to bed, I left one quartern, and fifteen half-querterns of flour, on a shelf, and on Wednesday morning I missed two half-querterns, one marked and one unmarked—I sent for the policeman, and went with him to the prisoner's house—I stopped a little on one side—he knocked at the door, went in, and called me—we found the bag of flour here produced—this is not marked, but it is mine—I know it by the doing up of it, and we found some pieces of bag on the floor.

Cross-examined by MR. CHAMBERS. *Q.* You have sold flour to the prisoner? *A.* Yes—there is no difference in this and other bags of flour

which I have sold to her, only it is my own doing up—I have done up many bags—I did up all the bags of flour that were for sale in my shop—she had not purchased any flour after the 14th of December, till I found this on the 19th of February—I am the only person who served flour to her—I know that from the servant and my wife, and from my books—the bags of flour are all done up similarly to this, and put on the shelf for sale—I charge 4½*d.* for these small bags—the prisoner owes me 2*s.* 4½*d.* for bread, but no flour—I am sure she has had no flour since the 14th of December—this flour was found in her cupboard.

Eliza Chapman. I am the prosecutor's servant—I saw the prisoner in the shop on the 16th of February—I left her there alone—I was not away more than a minute—I did not sell her any flour.

Cross-examined. *Q.* How many bags of flour did you sell between December and February to different customers? *A.* It is very seldom that I sell flour—I do not think I sold a dozen or half a dozen—it is put on the shelf ready weighed to sell to any one—if I happen to be in the shop I sell it—I served the prisoner with bread frequently—she did not pay me—I told my master of it.

John Walker (*police-constable R* 182.) The prosecutor sent for me on the 19th of February—I went to the prisoner's and found this bag of flour—as we were returning from the Magistrate's, the prosecutor said he was not satisfied, we went to the prisoner's house again, and he found this marked bag, empty, in a drawer.

Cross-examined. *Q.* When you went first to the house with the prosecutor did you not search to find a marked bag? *A.* Yes, and I could not—we took the prisoner to the Magistrate—he said the evidence was insufficient, and he would remand her, and before the prisoner got home, the prosecutor went to her house to get the linen she had to wash, and there he found this marked bag in a drawer in the front-room—that was the room in which we at first found the bag of flour—I did not then look where this marked bag was—it was in a drawer of an old chest of drawers, as it appeared to me—I did not take notice when I first went, as I saw a paper had been torn up, and I said to the prosecutor, "It is in vain to look for a bag."

Q. Is it true or not that you "looked carefully for a marked bag?" *A.* Yes, and when I saw a bag torn up on the floor I said it was no use to look for it—I did not perceive the torn bag on the floor the instant I entered, not till I looked round the room and saw that flour had been shifted from one bag to another—the first thing I did was to look about the back-room, and then I opened a cupboard in the front-room and saw this bag of flour—we then took the prisoner, and the prosecutor, not being satisfied, went again—he found his linen in one corner of the back-room—when I first went to the house the prisoner said she had no flour at all of Mr. Floyd's—when I found the bag of flour she said the servant had served her with it—I saw nothing in the cupboard—the flour had been shifted from the bag that had been torn up, into a cloth bag—I found two or three quarterns of flour in a cloth bag—there was a boy named Tinsley at the Magistrate's office—he gave some evidence, and it was put in the depositions—neither he nor I were called in before the Grand Jury—but he is here, as he was bound over.

William Floyd *re-examined.* *Q.* When did you mark this bag that you found empty? *A.* On the 15th it was filled with flour, and I lost it.

MR. CHAMBERS *called* JOHN TINSLEY. I am a milk-boy—I served Mr. Floyd with milk—on Wednesday morning, the 19th, I was at his shop, the prisoner was there, and the servant served her with bread—she said something about flour, but I do not know what, as I came away just as it was being mentioned.

ELIZA CHAPMAN *re-examined.* I did not serve the prisoner with flour on Wednesday morning, the 19th—she asked for a quartern loaf, and I gave it her—I do not recollect her saying any thing about flour.

NOT GUILTY.

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993. ANN TUPMAN was *again* indicted for stealing, on the 19th of February, 1lb. 12oz. weight of flour, value 4½*d.*, the goods of William Floyd.

WILLIAM FLOYD. I lost some flour on the 19th of February—that was second flour—it was in this bag, which I had done up on Tuesday night, the 18th, and it was found on the 19th, in the cupboard in the prisoner's room—the prisoner at first said she had no flour, and when the policeman went to the cupboard she said she had it of my servant—there were two bags of flour gone that morning, one marked, which was torn up, and this one, which was not marked.

Cross-examined by MR. CHAMBERS. *Q.* Is there any thing different in the doing up of this bag of flour from those which you had done up during the whole of February? *A.* No—there is no mode of distinguishing this from other bags done up at my house—I could not pick out this from other bags which had been sold to other persons—I swear I sold no flour that morning—I might have sold it any day in the month of February, but the prisoner admitted taking it, and I wanted no more.

ELIZA CHAPMAN. I did not sell the prisoner any flour on the 18th or 19th of February.

Cross-examined. *Q.* She worked for your master, did she not? *A.* Yes—I believe she took out in goods what he owed her—my master has not been talking to me about this—I do not know about the prisoner paying any money—the milk-boy was there on the morning of the 19th, at the time the prisoner was—I did not hear any thing said about flour that morning, if it had I should have heard it—I believe the prisoner first mentioned about the milk-boy being in the shop—I was asked if he was there, and I said he was—the prisoner asked me for the linen while the milk-boy was there, and that was all that was said while he was there—he went away before the prisoner asked me for bread—he could not have heard her ask for bread—I did not observe the bags of flour on the shelf that morning—I cannot tell how many are usually kept on the shelf—my master did not tell me that he had marked any bags—I should have sold them, marked or unmarked, to any one that came—I never sold any flour—I have frequently sold bread.

Q. Did you not say you had sold it, and when your master came down you told him? *A.* Yes, but I never sold the prisoner any flour, only bread—I do not recollect serving flour above once or twice.

NOT GUILTY.

Before Mr. Sergeant Arabin.

994. AMY RUSSELL was indicted for stealing, on the 8th of February, 1 coat, value 20s., the goods of Richard Wells.

RICHARD WELLS. I live at the King's Arms public-house, Eltham.

On the 8th of February I left my great-coat on the settle in the tap-room—I missed it the next morning—this is it—(*looking at it*)—the prisoner lived at Eltham.

Cross-examined by MR. DOANE. *Q.* It was on Saturday afternoon you saw it safe? *A.* Yes, I have seen the prisoner's husband—I do not know him.

JOSEPH KITCHEN. I am assistant to Mr. Davis, a pawnbroker, at Green-end, Woolwich. The prisoner pawned this coat on the 11th of February, in the name of Ann Russell.

Cross-examined. *Q.* Might she not have said "Amy Russell?" *A.* It might be so.

JOHN LAMBERT (*police-constable R* 212.) I took the prisoner—she said she knew nothing about it. NOT GUILTY.

SURREY CASES.

Before Mr. Justice Williams.

995. WILLIAM ARNUTT was indicted for feloniously breaking and entering the dwelling-house of William Nickells, on the 13th of February, at Lambeth, and stealing therein 1 decanter, value 2*s.* 6*d.*; 3 pictures, framed and glazed, value 2*s.* 6*d.*; 1 tea-pot, value 6*s.*; 1 table-cover, value 3*s.*; 1 work-box, value 10*s.*; 1 ink-stand, value 6*s.*; 1 cloak, value 6*s.*; and 2 candlesticks, value 1*s.*, his property.

WILLIAM NICKELLS. I am foreman at King and Co.'s India-rubber manufactory, and live at No. 6, Belvedere-road, in the parish of Lambeth—I keep the house. On the night of the 13th of February, I was lying ill in the back parlour in bed about a quarter to eight o'clock, and saw a light under the door in the front parlour—I heard a rustling and whispering in the room—I got out of bed, put my hand on the handle of the door, and heard a voice say, "Make haste"—I opened the door, and saw the prisoner standing by the fire-place—he immediately rushed to the window, which was open—I caught him in the act of getting out—I also saw somebody getting out of the yard gate, and heard glass break, which was the glass of the pictures—the prisoner struggled very hard, and got out of the window, but I went after him, and never let go of him—I afterwards examined the premises, and missed a table-cloth, inkstand, and the other articles stated in the indictment, from different parts of the room—I had seen them safe about two o'clock—I went to bed about three o'clock—my wife and family were in the kitchen, under the parlour—the prisoner had no shoes on—I found them afterwards in his cap by the side of the window—I saw part of the property picked up in the yard near the gate—it is a very small yard—Day brought the decanter to me, and my son the pictures—a lucifer box and matches were found on the prisoner at the station-house—I am certain these articles are mine—(*looking at them.*)

Prisoner. *Q.* Was I in the room when you came in? *A.* You were, I am positive, about a yard and a half from the window.

MARIA NICKELLS. I am the prosecutor's wife. I heard the alarm when I was in the kitchen—I had been in the parlour at about a quarter past seven o'clock—the windows were shut then, but not fastened, and the shutters were put to, but not fastened—I am sure the window was down

—my daughter was in the kitchen with me—she is twenty-two years old—she had not been in the parlour for some hours.

CHARLES DAY. I was passing by Nickells's house, and picked up this decanter under the window ledge in the yard, and saw Nickells's son pick up the pictures—he is about twelve years old—they were in the yard, about two yards from the window—he took them into the house—I am sure these are the articles.

Prisoner's Defence. I was coming over Waterloo-bridge, I turned down Belvedere-road, and saw a lad go into this yard—I went after him—I saw the window open; he saw me come, and came out again I suppose—I went to look in to see if I could see him, and my hat fell into the room—I stepped in after it and the gentleman seized me, and said I wanted to rob his place.

GUILTY. Aged 20.—Confined Twelve Months.

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996. WILLIAM TANNER and WILLIAM BROWN were indicted for feloniously assaulting William Usher, on the 25th of February, with intent to rob him.

WILLIAM USHER. I am servant to the Honourable Society of the Inner Temple. On the 24th of February, about a quarter to twelve o'clock, I was in St. George's-road, leading from the Elephant and Castle to New Bedlam—I had come from a public-house, where I had been to join a benefit society, and was going home—I was alone—I had been drinking a little, but was quite capable of taking care of myself, and knowing what I was about—I was walking on the edge of the foot-path—I did not observe or hear any person in the road near me, but I received a violent blow on the cheek—I turned round momentarily and perceived Tanner—I had scarcely time to make a slight grasp of him, when my heels were tripped up, and I was knocked down nearly on my back—my breath was almost knocked out of my body—the blow did not knock me down—it cut my cheek—I should suppose the blow was from a fist—I had a bundle in my hand, and the moment my heels were tripped up, a snatch was made at it, but I had it tied round my wrist, and they could not get it off—it was all done momentarily—what passed after I was down I cannot say—I know Tanner was one of the men, for I turned round instantly on receiving the blow, and saw he had very black eyes, as if from blows he had received—I never saw him before, to my knowledge—there was a light from a gas lamp—I cannot say how many there were, it was done in such a sudden manner—the policeman and Lee came to my assistance momentarily, or I should have been robbed—I did not miss any thing—I had some fifteen or sixteen shillings loose in my trowsers' pocket.

HENRY LEE. I am a plumber. I was in St. George's road, going home on the 24th of February—I saw Usher crossing the road near the foot-path in a slanting direction—there were five persons five or six paces from him close together—three of them darted from the five, tripped up his heels, and knocked him down—I instantly ran to his assistance, and collared Brown, who was on the prosecutor, and had his hands on him—the prosecutor laid on his side between the road and the path—I secured Brown, and he bit my hand to try to get away—the policeman took Tanner instantly, in my sight, and had great difficulty in keeping him—Tanner was stooping over the prosecutor in the same position as Brown—there was plenty of light from the gas lamp—they could not be off seeing me—they could not see the policeman—he was in a dark corner of the street.

Brown. Q. Was not I on the path when you took me? *A.* Half on and half off, and stooping over the prosecutor, I pulled him off—after I took him, the prosecutor got up and ran along the road, calling "Police."—I am sure that was after I pulled him off, not before—I was quite sober.

THOMAS RILEY. I am a policeman. I was on duty on the morning of the 25th of February, in St. George's-road, and saw the prosecutor coming in a slanting direction across the road towards where I stood—he was the worse for liquor, but capable of going home—he walked straight, but at the station-house I saw he was the worse for liquor—I saw five persons coming after him, six or seven yards from him—they could not see me where I was, which was within twenty yards of them—I saw Tanner come from the five, and trip the prosecutor up, and fall on him—Brown came up, and threw himself on the prosecutor directly he fell—he was about four yards behind him—I saw Lee come along the footway the moment the prosecutor was tripped up—I saw Tanner make an attempt at the prosecutor's pocket—I ran towards them—I saw Lee take hold of Brown—I got up at the same time, and took Tanner, who was stooping over the prosecutor, and upon him, but on seeing me coming he straightened up, and tried to run away—I collared him—he tried all he could to get from me, by throwing himself about—they were both secured, and taken to the station-house—I am sure they were both sober.

Tanner. Q. Did you see me with the other men? *A.* He was about four yards in advance of them—it was all done in a minute—they were all walking in the same direction.

Brown. Q. When Lee took hold of me, where was the prosecutor? *A.* Laying on the ground, but when he got up he was confused, and ran up the road a few paces, calling "Police," not seeing that we had got them.

Tanner's Defence. I was going home entirely by myself—I was in liquor, and do not recollect knocking the man down—if I did, it was not to rob him.

Brown's Defence. When I heard the man call out, I ran to the corner of the street, and saw him lying down—I did not touch him—he never said at the station-house that I bit him—I was on the path when he took me.

TANNER—GUILTY. Aged 23.
BROWN—GUILTY. Aged 19. } Confined Twelve Months.

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997. HENRY BRICKLEY was indicted for burglariously breaking and entering the dwelling-house of Isaac John Lee, about nine in the night of the 20th of February, at St. George, Southwark, with intent to steal, and stealing therein 4 breast-pins, value 40*s.*, his goods.

ISAAC JOHN LEE. I am a watch-maker, in Devonshire-buildings, Great Dover-road—my shop is part of the dwelling-house. On the 20th of February, about ten minutes past nine o'clock, I went into the parlour behind the shop, and in less than two minutes I heard a smash of glass at the shop window—I immediately ran to the door, and found the handle tied by a cord to the scraper—I had been there ten minutes before, the cord was not there then—I pulled the door violently, strained the cord, and got out—I had seen a person run from the window towards the Borough—when I got out I saw a person running, about a dozen yards off—I pursued him, and never lost sight of him till the policeman

took him—I was then about three yards from him, calling "Stop thief" —he ran forty or fifty yards, and just as the policeman stopped him, I saw him throw a card behind him, it fell at my feet—he was taken in half a moment after, and I returned and saw the policeman pick up the card, on which was four gold pins—(*produced*)—this is it, it is mine—they are worth 40*s.*, it was taken from within six inches of the broken glass, on an inclined shelf—I had seen it about half-an-hour before.

BENJAMIN FISHER. I am a policeman. I heard Lee call "Stop thief" —he was twelve or fifteen houses from his own—I met the prisoner running, and stopped him—Lee was within three or four yards of him then —I took up this card about three yards from where I stopped him—there was nobody else within forty or fifty yards.

Prisoner's Defence. I saw a boy run across the road, and was running after him.

GUILTY. Aged 17.—Confined Twelve Months.

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998. CHARLES JOHN HINTON was indicted for feloniously breaking and entering the dwelling-house of Robert Carr, on the 4th of February, at Camberwell, and stealing therein 5 sovereigns, 2 half-sovereigns, 4 crowns, 24 half-crowns, 30 shillings, 20 sixpences, and 3 5*l.* Bank-notes, his monies.

ROBERT CARR. I am a publican, and live at the Orchard public-house at Peckham, in the parish of Camberwell. On Tuesday, the 4th of February, at half-past nine o'clock at night, I discovered a drawer in my bed-room broken open, and a piece broken off the drawer—I had seen it safe the night before—there was then a 10*l.* note of the Hitchin bank, with three 5*l.* Bank notes, and 12*l.* in gold and silver, all in a purse—there were some sovereigns, and some halves—I had received the notes from my wife on the 30th—the 5*l.* notes and money were gone, but the Hitchin note was left in the room by the window—the person must have got in at the window, which was pulled down again as before—the room is on the first floor—a ladder must have been used, or he must have climbed up by some palings—there were some black finger-marks on one door-post, and marks of shoes on the brick-work near the window—I had no other 5*l.* notes except what I received from my wife—the prisoner lived opposite my window—I had only taken the house four days, and knew him only that time—I have seen him in the house about six times—he is a lamp-lighter, I believe.

HARRIET CARR. I am the prosecutor's wife. I had seen the drawer at half-past five o'clock on the evening of the 3rd or 4th of February—I looked into it, saw the money safe, locked it, and put the key into my pocket—there was then 37*l.* in a canvass bag—we lost all but the 10*l.* Hitchin note —I saw the three 5*l.* notes at Union-hall last Saturday—I had had them from the savings' bank—Mr. Musgrave had taken the numbers down when I received them—I had opened the purse to take some money out —I left 37*l.* in—I counted it—we had only gone into the house on the Friday.

THOMAS MUSGRAVE MUSGRAVE. I went with the prosecutrix to the savings' bank on the 25th of January, and received three 20*l.* and four 5*l.* Bank-notes, with some gold and silver—I took the numbers of the 5*l.* notes—this is the memorandum—(*looking at it*)—the 5*l.* notes were Nos. 02903, 02904, 02905, 02906, all dated, "13th July, 1839"—I gave

Mrs. Carr the money immediately—I did not mix it with any other—I merely went there to identify her, having taken the money there myself formerly.

EDWARD CALVER. I am assistant to Edward Benton, a gun-smith in the Strand. The prisoner came to our shop on the 5th of February, and bought two six-barrelled pistols—they came to 14*l.* 10*s.*—he gave me three 5*l.* notes—I changed one note, and gave two to my employer—I wrote on them the address of the person he said he came from, "John Oldfield, Esq., Springfield-place, Champion-hill, Camberwell"—I wrote that on the notes—these are the three notes—(*looking at them*)—they have that writing on them, but part of it is stamped out—I put "Champion-hill" on them, I left out "Springfield-place"—he gave me the address to call for an order for three guns—he came back to change the pistols, and wanted to lose 3*l.* on them—I said we did not do that sort of business, and he said, "You will lose nothing by it, if you call on J. Oldfield, Esq., he will give you an order for three guns"—I then took down the address again—I am certain these are the notes—I gave two of the notes to Mr. Benton afterwards, I paid one away to a Mr. Crawford—he is not here—I saw the notes again at Union-hall—I am sure the prisoner is the man.

THOMAS PHILLIPS. I am a clerk in the Bank. These notes were paid in on the 16th, 17th, and 26th of February—we never have duplicate notes of the same Nos. and date.

WILLIAM SUTTON. I am a policeman. I took the prisoner into custody on Sunday week at the Black Horse public-house, Sidcomb, near Eltham, about eleven miles from the prosecutor's—I told him he was charged with stealing a pair of pistols from Mr. Benton, and also with a robbery at the Orchard—I took out the handcuffs and he began to cry, but said nothing—as I was bringing him home in a *cab* he told me he had pawned a pair of pistols at Mr. Hargood's, one pistol and a watch at Mr. Dicker's, and one pair of pistols he had broken and thrown into the canal by the Globe-bridge—he said if I would give him a piece of paper he would write it down for me; and he did so at the station-house—I found 1*l.* 13*s.* on him, and a knife—this is the paper I saw him write—(*read*)—"Pistols at Mr. Hargood's, first pawnbroker past the Bricklayer's Arms; watch at Mr. Dicker's, Dover-road, near the turnpike; pistols 17*s.*, watch 30*s.*"—I have known the prisoner six or seven years—he lives next door but one to me, and has done so all his life.

JAMES HARGOOD. I am a pawnbroker—the prisoner pawned a pair of double-barrelled pistols with me on the 11th of February, in the evening, for 17*s.*

JOHN ARUNDELL ALLEN. I am a pawnbroker. I do not know the prisoner. On the 11th of February a watch was pledged with me—I live in New Dover-road, near the turnpike.

EDWARD CALVER *re-examined*. I do not know the day of the week that he came—I entered the 5th of February in our account, and know that was the date.

(George Payne, boot-maker, Surrey canal bridge, Kent-road; Sarah Brocket, widow, Camberwell; and Mary Hinton, gave the prisoner a good character.)

GUILTY. Aged 17.—*Recommended to mercy.*—Transported for Ten Years.—(*See the next page.*)

999. CHARLES JOHN HINTON was *again* indicted for stealing, on the 6th of February, 1 pistol, value 30*s.*; the goods of Edward Benton; to which he pleaded

GUILTY.

1000. THOMAS BURTON was indicted for feloniously breaking and entering the dwelling-house of Elizabeth Bradley, on the 10th of February, and stealing therein 1 watch, value 12*l.*; 1 coat, value 5*l.*; 2 pairs of stays, value 2*l.*; 2 pocket-books, value 3*s.*; 2 pairs of stockings, value 3*s.*; and one shawl, value 4*s.*, her property.

ELIZABETH BRADLEY. I am a widow, and live at Peckham Rye Common. On Monday, the 10th of February, I left my house about a quarter past two o'clock, leaving my daughter and three grandchildren in the house—I returned at about a quarter to nine in the evening, and missed a gold watch, and the other property stated, from a drawer in my bed-room—I had put the watch there about half-past twelve o'clock—it has not been found—I value all the articles stolen at about 20*l.*—I know nothing of the prisoner.

MARGARET EMILY BRADLEY. I was left behind with the three children when my mother went out on the 10th of February—there was no one else in the house—a lady called about half-past four, but only staid a few minutes—between six and seven o'clock I found the street-door open, and the front parlour window about a foot and a half up—I had seen it at a quarter to five o'clock—it was shut down then, but not fastened—the door was then bolted and locked—the persons must have got in at the window, and let themselves out at the door—I was below in the kitchen with the children—I did not miss any thing till my mother returned.

THOMAS EDWARD MERRITT. I am a general dealer, and live in Pomroy-street. On the 10th of February, from seven to half-past seven o'clock in the evening, I saw the prisoner running across the Old Kent-road and Mr. Collins after him, hallooing "Stop thief"—I went after him, and when I was about ten yards from him, I saw him throw down some clothes from under his coat—I picked them up—I never lost sight of him till he was taken—as we were taking him to the station-house he went into a watering place, and while there, I saw him drop this pocket-book from his trowsers, which a young man picked up, and gave to the policeman—this is it—(*looking at it.*)

Cross-examined by MR. HORRY. *Q.* What distance were you from Peckham when you saw the prisoner? *A.* About a quarter of a mile—I saw two men about ten yards from him—they came by me—I did not see them throw any thing away.

GEORGE GREEN. I work for Mr. Collins at New Peckham. On the 11th of February, about half-past eight o'clock in the morning, I found these two pairs of stays under a cart about one hundred yards from my master's house.

MORRIS GRAHAM. (*police-constable R* 57.) I received this pocket-book at Greenwich station-house from a young man who is a butcher in Whitechapel—Merritt was present at the time—I found these eight skeleton keys and a latch key and a flute on the prisoner.

MRS. BRADLEY *re-examined.* I have no hesitation in saying that this is my pocket-book—it has no name in it—I have one of this kind every year, but I had not taken to it this year—I left one in my drawer, and it was gone—there is no memorandum or any mark in it.

NOT GUILTY.

1001. THOMAS BURTON was *again* indicted for feloniously breaking and entering the dwelling-house of Edwin Benjamin Collins, on the 10th of February, and stealing therein, 3 coats, value 4*l.*; 2 pairs of trowsers, value 2*l.*; 2 shawls, value 30*s.*; 1 waistcoat, value 10*s.*; 1 flute, value 1*l.*; 1 glazier's diamond, value 10*s.*; 1 watch, value 3*l.*; 1 breast-pin, value 6*s.*; 1 sovereign, and 21 shillings; his property.

EDWIN BENJAMIN COLLINS. I am a master-gardener, and live in Washington-place, New Peckham, in the parish of Camberwell. On Monday, the 10th of February, I left home at half-past one o'clock—I left no one behind—my wife went out half-an-hour previously—I left the house secure, and pulled the door after me—it has a spring-lock—it could not be opened without a key—I returned as the clock was striking seven, and found the door open—I had met the prisoner and two others about a hundred yards from my house, going from it—they were well loaded, and had clothes concealed about them under their coats—upon finding my door open, and receiving information from my neighbours, I went back in pursuit, cried "Stop thief," and caught hold of the prisoner—he had got about another hundred yards from where I met him before—after taking him to the station-house I searched my house, and missed the property stated, which is worth altogether about 15*l.*—the prisoner dropped a great-coat, a pair of trowsers, and a waistcoat, when I laid hold of him, and struck me with part of the flute three times, endeavouring to knock me down—I took him about a mile and a half on the road before I met a policeman—I am sure these are the things he dropped—I know the coat to be mine, because the pockets are worn by my carrying my hands in them—my waistcoat had a button off, I believe—I see this has not—I must have had it sewn on again, and forgotten it—I have no doubt they are my property—this flute is mine, one of the keys of it has a common pin instead of a proper one, and the maker's name is on it, but it is almost imperceptible—I had had it about two months—I am confident it is mine—the coat, waistcoat, and trowsers were taken from a box in my back bed-room.

Cross-examined by MR. HORRY. *Q.* What is the distance from your house to the Kent-road, where you came after the men? *A.* About two hundred yards—I caught hold of the prisoner, and told him he was my prisoner—he did not run away—he crossed the road.

THOMAS GRAHAM (*police-constable R* 57.) I received these clothes from Merritt at the station-house, in the prosecutor's presence—I found this flute and these keys on the prisoner.

THOMAS EDWARD MERRITT. Mr. Collins was about thirty feet from me when the prisoner threw away the clothes—he was nearer to the prisoner than me—he saw me pick them up—these clothes are what I saw the prisoner throw down.

JOHN FARQUHARSON (*police-constable R* 2.) I picked up a frock-coat, about half-past eight o'clock, on the 10th of February, in a front-garden in the Old Kent-road, about half a mile from Mr. Collins's house—I do not know who the garden belongs to—it is one of a row, half a mile long, or more—it was within three houses of the end nearest Mr. Collins's.

EDWIN BENJAMIN COLLINS *re-examined.* I came up with the prisoner about six yards from where the coat was picked up—I was along with the policeman, and saw him pick it up—it is mine—I know it by its being nearly worn out—I had it made for me last Easter—I have no private mark on it, but I have not the least doubt about it.

GUILTY.*** Aged 25.—Transported for Ten Years.

1002. WILLIAM HENRY COLE was indicted for a rape.

NOT GUILTY.

Before Mr. Sergeant Arabin.

1003. ELIZABETH BURN was indicted for stealing, on the 23rd of February, 1 basket, value 6*d.*; and 9lbs. weight of beef, value 4*s.* 6*d.*; the goods of George Cole, from the person of Elizabeth Susannah Cole: and RICHARD BURN and JANE BURN, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

GEORGE COLE. I live in Tower-street, Waterloo-road. My daughter, Elizabeth Susannah, is eight years and six months old—on Sunday, the 23rd of February, between eleven and twelve o'clock in the forenoon, I went with her to Mr. Budge's, a butcher's shop, in the New-cut, Lambeth—I bought a piece of beef, which weighed five pounds all but two ounces, and a piece of salt beef, which weighed four pounds four ounces—the two pieces of meat were put into a basket which I had with me—I gave the basket to the little girl to take the meat home, and I gave her 4*d.* to buy some turnip-tops and potatoes—I afterwards went to a potato-shop, and found her crying—the basket and meat were gone—she stated how she had lost it—in consequence of what she said I went with the policeman to No. 89, Carlisle-lane—I found the three prisoners there—it was then about a quarter past twelve o'clock—I found my fresh beef before the fire roasting—I said, "This is my beef"—the man said, "It is not yours, I bought it in the Cut last night"—I said, "Where is the salt beef?"—I was then looking into the cupboard, and the policeman said to Jane Burn, "What are you standing there for?"—he pulled her aside, and found the salt beef in a tub, with some turnip-tops, which I have no doubt were mine—I found my basket on the top shelf in the cupboard, close to the ceiling—this is it—I can swear to it—it has a leather strap, which I put on it, because the handle was broken off—the meat was taken to Union Hall—I took it home afterwards, and ate it.

ELIZABETH SUSANNAH COLE. I am eight years old. I went with my father to the New Cut, where he bought a piece of fresh beef and a piece of salt beef—he paid for them—he gave the meat to me in a basket to carry it home, and 4*d.* to buy some turnip-tops and potatoes—I bought the turnip-tops, and put them into the basket—as I went along I met the prisoner Elizabeth Burn—she asked whether the basket was not heavy—I said yes—she asked if she should take one handle—I said no, I could carry it; and then she took one handle out of my hand—she asked where I was going—I said, to the potato-shop—she pulled, and I pulled, and she got the basket from me—I went to the potato-shop, and she said she would wait for me at the corner of Robert-street, and when I came out she was gone with the basket and the meat—I saw her up a turning, and called to her—I do not know whether she heard me or not, but she did not stop—I ran up one street and another till I lost her—this is the basket—I am quite sure Elizabeth Burn is the girl that took it.

WILLIAM GUEST (*police-constable* L 62.) The prosecutor came to the station-house, and I went with him to the New Cut—I made inquiry, and at last got some information—I went to the room, and found the three prisoners there—the man was standing, attending to the piece of beef, which was at the fire—he said he had bought it in the New Cut the night before—Jane Burn was at the table peeling some potatoes, and her gown

covered a tub in which were some turnip-tops—the sergeant found the piece of salt beef in the tub covered with turnip-tops—the basket was on the top shelf.

Richard Burn. It was a piece of pork I said I bought in the Cut.

Jane Burn. I was standing at the table, peeling potatoes, but I was not concealing the tub—I was not near it.

WILLIAM PRICE (*police-sergeant L* 11.) I received information that this girl had been robbed—I made inquiry, and ascertained it had been taken to a place in Carlisle-lane—we went there, and found Richard Burn busily engaged in roasting a piece of beef—Mr. Cole claimed it, and asked where his salt beef was—the male prisoner said, "You will find no salt beef here"—Jane Burn went from where she was to the end of the table, where there was a tub, which she partly covered—the male prisoner said he bought the beef in the New-cut the night before—Jane Burn said she had not been out that morning—after that she said she had been out, but not with the girl; and after that she said she had been out with the girl, and had lost her.

Elizabeth Burn's Defence. I met this girl—she asked me to tell her where she could get some tops, and I went with her—she then said she was going for some potatoes, and told me to hold her basket—I stopped above half-an-hour, went up and down, and asked a good many people if they had seen her—I took it home, and my father, not knowing who it belonged to, put one piece down to the fire—my mother had not been in two minutes before the policemen came.

Richard Burn's Defence. My child was sent out in the morning, about a quarter before eleven o'clock, to get twopenny-worth of turnip-tops—she met this girl, and they got to play together, and then my girl came home, and brought the basket—I was ill in bed—I sent my eldest daughter out to see if she could find who it belonged to—my wife had not been in two minutes before the officer came.

WILLIAM PRICE *re-examined.* The woman said, if any body was punished, it ought to be the man, as she herself was innocent—she said she wished it to be sent back again, and he would not.

ELIZABETH BURN—GUILTY. Aged 14.—Judgment Respited.
RICHARD BURN—GUILTY. Aged 43.—Confined One Year.
JANE BURN—NOT GUILTY.

Before Mr. Common Sergeant.

1004. MATILDA DREW was indicted for stealing, on the 9th of October, one handkerchief, value 3*s.* 6*d.*, the goods of James Gater, her master.

JAMES GATER. I keep a beer-shop in Albion-terrace, Wandsworth-road. The prisoner was in my service, she left about the end of November—I missed several things, among them a handkerchief—this is it—I cannot swear to it from the pattern.

JOHN NEALE. I am a pawnbroker in the employ of Mr. Filmer, in Kennington-road—I produce this handkerchief which was pawned, I do not know by whom—I have not got the corresponding duplicate.

ROBERT EMMERSON (*police-sergeant V* 9.) I went to the prisoner's lodging and found some duplicates, one of which relates to this handkerchief.

NOT GUILTY.

1005. MATILDA DREW was *again* indicted for stealing, on the 31st

of December, one umbrella, value 10*s.*; and one ring, value 10*s.*; the goods of Henry Fentum.

EMMA FENTUM. I am the wife of Henry Fentum. I employed the prisoner and missed an umbrella from the back-parlour, I cannot say when—I lost a ring also from a drawer in my bedroom—she had access there—this is my ring and umbrella—(*looking at them.*)

JOHN GEORGE TEMPLE. I am a pawnbroker—I produce a ring which was pawned by the prisoner on the 6th of February.

Prisoner. *Q.* Are you sure it was me? *A.* Yes.

JOHN NEALE. I produce an umbrella which I took in of the prisoner on the 31st of December.

Prisoner. I had seven children crying round me for bread, which drove me to do it.

GUILTY. Aged 18.—*Recommended to mercy by the Jury.*—Confined One Month.

1006. CHARLES ENGLAND and JAMES GEORGE were indicted for stealing, on the 11th of February, 5lbs. weight of feathers, value 10*s.*, the goods of Emanuel Jeffrey, the master of the said James George; to which they pleaded

ENGLAND—GUILTY. Aged 16.—Confined Three Months.

GEORGE—GUILTY. Aged 16.—Confined Six Months.

1007. WILLIAM HUMPHREYS was indicted for embezzling, on the 7th of January, 5*s.* 3½*d.*; and on the 19th of January, 1*l.* 2*s.* 10*d.* and 10*s.*, which he received for Mary Ann Adams, his mistress; to which he pleaded

GUILTY.—Confined Nine Months.

1008. JOHN TOMKINS was indicted for stealing, on the 28th of February, twelve live tame pigeons, value 18*s.*, the property of John Nash Pound; to which he pleaded

GUILTY. Aged 19.—Confined Three Months.

1009. ALFRED EVERSHED, WILLIAM CARTER, and THOMAS STAPLES, were indicted for stealing, on the 29th of February, 1 till, value 2*s.* 6*d.*, 3 half-crowns, 15 shillings, 9 sixpences, 8 groats, 6 pence, 40 half-pence, and 1 piece of foreign coin, the property of John Dawson Watlock.

JOHN DAWSON WATLOCK. I am a druggist, and live at Wandsworth. On Saturday night, the 29th of February, I missed my till from my shop—it contained half-crowns, shillings, sixpences, four-penny pieces, penny pieces, halfpence, and a foreign coin—this is it—(*looking at it*)—I believe it is a Prussian coin—this is my till (*looking at a till.*)

MARY ANN MADDOCK. I live in the house with John Dawson Watlock. About half-past ten on Saturday night, the 29th of February, a young man came to the house for some vinegar—I cannot tell who it was—I took the bottle and went into the warehouse to get it—while there I heard the rattling of money in the shop, and the shop door suddenly shut—I came into the shop and saw no one there—I called to Mr. Watlock, he came out of the parlour, and the till was gone.

THOMAS JELLY. I am a smith, and live at Wandsworth. I was near the prosecutor's house about half-past ten o'clock that night, and saw Carter on the opposite side of the way—he crossed and went up Mr. Watlock's

steps, towards the door—he had been there but a little time when out came Staples in a frock-coat, with the till—I am confident it was them—I had seen Carter pass our house a little before, he went up a lane and met the young man in the frock-coat, then they went down the town—when Staples came out of the prosecutor's house, Carter took the till of him, and tried to conceal it under the skirt of his coat—they ran up the street and turned up Farthing-lane and another young man joined them, but I cannot say who he was.

GEORGE WILLIAMS (*police-constable V* 94.) I was on duty in the Vauxhall-road, about a quarter before twelve o'clock at night, on the 29th of February, I received information of this, and some description of persons—about half-past one o'clock I was on duty in South Lambeth, and saw the three prisoners—I followed them a quarter of a mile, when I met with two brother officers, and we took the prisoners—they said they had not been at Wandsworth that night—in taking them to the station-house Evershed dropped some money—I heard it fall, and my brother officer said, "This man is dropping some money"—I picked up a shilling and a halfpenny—I found thirteen halfpence and one penny-piece on Carter.

CHARLES WHELHAM (*police-constable V* 90.) I took Evershed—I saw him drop some money.

ROBERT BARCLAY CAMPBELL (*police-constable V* 146.) I took Staples, and found 9*s.* 4½*d.* on him, and this Prussian coin.

WILLIAM READ (*police-sergeant V* 18.) I went in the direction the prisoner went, and found this till thrown over a high fence.

Staples's Defence. I was in Oxford-street at the time. I went to the Swan, to meet a young man; he did not come; I was then going home, and met these young men, and we joined in company; I had had that coin three or four years.

Carter's Defence. I was not in Wandsworth at the time of the robbery.

EVERSHED—NOT GUILTY.

CARTER*—GUILTY. Aged 24.—Transported for Seven Years.

STAPLES—GUILTY. Aged 19.—Confined Six Months.

1010. MARY KING was indicted for stealing, on the 18th of February, 1 pair of boots, value 5*s.*, the goods of James Chapman Butcher; and that she had been before convicted of felony.

JAMES CHAPMAN BUTCHER. I keep a pawnbroker's shop at Wandsworth. On the 18th of February I lost a pair of cloth boots, which were hanging inside my door—these are them—(*looking at them*)—they have my mark on them.

JAMES WEBB (*police-constable T* 134.) About half-past three o'clock, on the 18th of February, I received information that the prisoner had a pair of boots, which were supposed to have been stolen—I took her, and found them in her lap—she said she bought them at Maidstone two months ago.

Prisoner. I bought them of a woman for 4*s.*

JOHN SPENCER COLEPEPPER (*police-sergeant P* 22.) I produce a certificate of the prisoner's conviction, which I got from the clerk of the peace of Surrey—(*read*)—the prisoner is the person.

GUILTY. Aged 23.—Transported for Seven Years.

1011. GEORGE WILLIAMS was indicted for uttering counterfeit coin; to which he pleaded

GUILTY. Aged 21.—Confined Six Months.

1012. ELLEN KEEFE was indicted for a misdemeanor.

MESSRS. CHAMBERS *and* DOANE *conducted the Prosecution.*

ELIZABETH STEVENS. I am the wife of Robert Stevens, a chinaman, in the New Cut, Lambeth. On the 20th of February the prisoner came for a three-halfpenny basin—(I had seen her about for a long time)—my young man got the basin—I took a shilling from the prisoner—I put it into my pocket, where I had no other shillings or sixpences—soon afterwards Mr. Stevens wanted a shilling, he asked me if I had one—I said "Yes, you know I have"—I gave him the shilling, and he said it was bad—I found it was bad—I took it out of his hand, and put it into a piece of paper—it remained there till the 28th—on the 28th she came again in the evening—I knew her the moment she came in—I said, "What is your pleasure?"—she said, "Have you got a cracked basin?"—I said I had not—she then took up a basin, and said, "What shall I give you for this?"—I said, "2½*d.*"—she offered me 2*d.*—I said I could not take it—she then gave me a shilling—I did not look at it, but sent for a policeman—she then said, could I not give her change?—I said my young man would be in in a minute—she then said, "Never mind," and walked out—I followed her, and took hold of her gown—the officer then came up and took her—I gave him both the shillings—I marked them.

JOHN SUTTON (*police-constable L* 92.) I took the prisoner—I found nothing on her—these two shillings were given me by the witness.

MR. JOHN FIELD. I am inspector of coin to the Mint. These are both counterfeits, and from the same mould.

Prisoner. I never was in the shop till I was taken; I made no resistance; I said, "Give me the shilling, I won't mind the change." Whether I took it of my husband, or where I sell fruit, I do not know."

GUILTY. Aged 25.—Confined Six Months.

1013. AMELIA PAGE and WILLIAM SEYMOUR were indicted for stealing, on the 23rd of February, 1 watch, value 4*l.*; 1 watch-key, value 2*d.*; 1 purse, value 10*d.*; 15 sovereigns, and 8 shillings; the property of John Morrison, from his person.

JOHN MORRISON. I am a currier, and live in Bell's-rents, John-street, Southwark. On the 23rd of February I was coming through the Strand—we met the prisoner Page, and some more young women—we gave them something to drink, then we went to an eating-house, then went and had some more drink—after that, Page took me to Morte's-place, over Waterloo-bridge—when I was going over the bridge, I looked at my watch, and it was then safe—when I got to her house I separated my purse from my copper—my purse contained 15 sovereigns and eight shillings—I then went up stairs with her—I remained half-an-hour, or three quarters—I pulled off my clothes and went to bed, but as I did not find Page was coming, I jumped up—I took up my trowsers—I heard the coppers jingling, and I thought all was right—I then missed my watch, my purse, and money—Seymour then came in and collared me—he said, I did not take it there, and he turned me out of the house—I called the police—we went to the station-house, then went back to the house, and an old woman attacked me, and my nose bled—the officer took her, and she had three months' imprisonment—we could not get in, and the house was not searched.

Cross-examined by MR. ESPINASSE. Q. You lived in Bell's-rents, John-

street, did you? *A.* Yes, but when I signed the charge, I stated where I was going to work, at Mr. Flanagan's, in Bermondsey-street—I am married—I did not say when I was asked my residence that I lived at No. 14, Park-lane, near Hyde-park—I was asked where the other gentleman lived who was with me, and I said he was lodging in Park-street—I was living in Bell's-rents then, but I did not know the name of it then—I knew it was a street out of Bermondsey-street—I have lived there from Thursday, the 20th of February, and the charge was made on the Sunday following—Bermondsey-street was the only place of residence I gave then, but I stated before the Magistrate No. 2, Bell's-rents, John-street.

Q. Did you not say that you lived at Baalzephon-street? *A.* I did not—it might have been spelt that way—I did not say so—I swear I said Bell's-rents, John-street—I had before been living at Bolton, in Lincolnshire—I had only been in London three days—I told the sergeant I could not tell the number in Bermondsey-street—I thought it was 38—I put down 3 at first in putting down the charge, and then I put down 8—I afterwards recollected, and put down 38—when I was at Bolton I was a sergeant of the police—I am not a master currier—I am an Irishman, and have 30*l.* a year from a tan-yard at Cork—I did not represent myself as a man of independent property—I had fifteen sovereigns and eight shillings about me—I had had sixteen sovereigns, and I spent the rest on this woman and the other man who was with me—I had dined at home that day about four o'clock—I had not had any thing to drink before four o'clock—I drank after dinner—I am sorry I had so much to drink—it is nearly impossible to tell what I drank—I began with drinking ale about half-past five o'clock—I continued drinking ale till about eight o'clock—I drank between three and four pots, between me and two other men—we had three or four quarterns of gin after we met Page—we had one quartern before—we went to the Strand between nine and ten o'clock at night—I got to Villiers-street—I did not know it till my friend took me there—we went into a house, which I believe was a brothel—I did not stop there—when I came out I saw some girls—I believe Page was one, and there was one smaller than the prisoner—I should know her again.

Q. Is this the girl that was with the prisoner?—(*pointing out Louisa Gibson to the witness*) *A.* No—I will swear that was not her—I swear positively that Gibson was not with me and my friend at the Cock-and-Bottle public-house—we went to a public-house on the left-hand side, opposite Villiers-street, within two or three doors of the Adelphi theatre—we there gave the girls two or three quarterns of gin, and we took a glass of brandy—that was all I had till I went home with Page—I was not sober—after we left that public-house we went to an oyster-shop—my friend's name is Golding—I gave his direction to the attorney—I do not know whether he has brought him—he left London the next morning by the Bristol train—we had something to eat at the oyster-shop—we had nothing to drink at first—after we had had something to eat I believe we had some ale—we had no gin at the oyster-shop, that I recollect—I will swear I drank no gin—I will not swear there was not any—I believe we had a mutton-chop there—I cannot say whether it was a chop or a steak—I know it was meat—it was either a mutton-chop or a beef-steak—I am almost sure it was a mutton-chop—there was nothing passed about paying for it—Golding did not say any thing to me about paying for it.

Q. Will you undertake to swear that Golding did not say to you, "Now you blackguard, pay for the chops you have ordered," and did you not say, "You know I have no money?" *A.* No, sir, there was nothing of the kind—I believe I paid 1*s.* for three quarterns of gin—the other man paid 1*s.*, and took 6*d.* back, and left the remainder for one quartern—I paid 2*s.* at the oyster-shop, I know—I am almost certain I paid 2*s.* 8*d.*, but I am satisfied I paid 2*s.*—we had nothing to drink after the chops—we might have had it at the time we were eating—there was a glass on the table—I might have taken part of it—I believe Mr. Golding took a glass of brandy—I swear there was no other liquor on the table but a glass of ale a-piece.

Q. When you went home with Page, do you recollect producing any money? *A.* No—only at the door, I separated my purse from my coppers, while she was rapping, in order to button my pocket—I had my purse in my hand when I went into the house.

Q. Have you never said you had not seen your purse and money from the time you left the public-house? *A.* I might have said I did not see them, but I felt them—I mentioned about separating my purse from my coppers, and feeling the purse—I had seen my watch in going over Waterloo-bridge—I took it out, and looked what o'clock it was—I mentioned that, and I think it was taken down—I am positive I said it.

Q. After you say you had lost all this, you saw an old woman a servant? *A.* Yes—I did not charge her with being in the room while I was with Page—that I swear—I charged no one with coming into the room, but Seymour—I did not say that that woman assisted Amelia in getting the money out of my pocket—nor that the money had been put on a trunk, or in a trunk under the bed—I said there was a trunk in the room—after the prisoners were taken to the station-house we went back to the house, and the old woman struck at me right and left—the officer had not time to make a search—he had to take her with him—there was no other policeman brought to search the house.

Q. How came you to leave the Bolton police? *A.* I resigned under Sir Charles Shaw—I heard that this case was kept back till the solicitor had an answer from Sir Charles Shaw—I receive 30*l.* a year from a tan-yard of my brother's—the rent is paid half-yearly—I received these fifteen sovereigns for the half-year due at Christmas, on the 3rd of February—I received it in Bolton—I received the letter on the Sunday, and got the money on the Thursday following—mine was a double-cased watch, which I have had ever since 1833—the dress I had on that night was the same as I have on now, with the exception of a scarf—I have always been quite certain as to the dress I had on—I have been asked about it, and always gave a clear account of my dress.

DANIEL CONNELL (*police-constable L* 142.) I was called to the house about one o'clock on the Monday morning, the 24th of February—the prosecutor made a complaint about losing his fifteen sovereigns, and his watch—he pointed out the prisoner Page as the person—she denied it, and said it was false, that he had no money when he came in—he insisted on my taking her to the station-house, and the prisoner Seymour also for assaulting him, hitting him in the face with the candlestick, and turning him down stairs—I took the prisoners to the station-house—I went back, and made a search in the room, and found nothing but this cane, which the prosecutor identified—an old woman who had followed us to the sta-

tion-house then came back, and the prosecutor said to her, "You assisted the female prisoner in taking the trunk from under the bed"—she directly flew at his face, and brought blood from him—she went to him a second time, and did it again, and he insisted on my taking her to the station-house—I did so, and then went on my beat—I did not go back to the house again till the next day, when we came back from Union-hall.

Cross-examined. *Q.* How was the prosecutor? *A.* He was the worse for liquor—I heard him charge the old woman with assisting in taking the trunk from under the bed—he said in presence of me and another officer that his purse was a blue purse.

JOHN MORRISON *re-examined.* My purse was a brown one—I have always said it was brown—I never said it was blue.

Cross-examined. *Q.* Have you ever been a witness before? *A.* Never at the Sessions—I was before the Magistrate in Bolton—I never was a witness here, nor in any Court in London nor Surrey.

MR. ESPINASSE *called*

LOUISA GIBSON. I am a girl of the town. I was in company with Page and another girl on Sunday night, the 23rd of February—I saw the prosecutor first about half-past seven o'clock—he then had two gentlemen with him—I afterwards saw him in Villiers-street—he turned into an open house in Villiers-street—I did not see him come out, but I saw him and his two friends after they came out—they had not reached as far as the Cock-and-Bottle public-house when I met them—I went into the Cock-and-Bottle public-house with them—I did not notice whether the prosecutor was drunk before he went in, or not—I called for some wine—the prosecutor said gin was good enough for wh—s, and he called for gin, and several quarterns were given, I do not know how many—we were there nearly half-an-hour—we then left them, and in about two hours Page and I were coming down the Strand, and we met the prosecutor and one other gentleman—we asked the other gentleman to treat us—he said he would—they took us to an oyster-shop close against the Adelphi—we had half a pint or more of gin, and the Irish gentleman who was with the prosecutor paid for it—we had three mutton chops and some bread and butter, but we had no beer or ale, I am quite certain, nothing but gin—I asked the prosecutor to give us some ale, which he refused to do—the other gentleman paid for the gin that we had at the Cock-and-Bottle public-house—the prosecutor called for the chops at the oyster-shop, and when they came up the other gentleman said, "Now, you blackguard, pay for the chops," the prosecutor said, "I have no money, and that you know"—the gentleman paid for them—I did not see the prosecutor pay any thing that night, not a halfpenny—he did not produce any money—I did not see that he had a watch.

JOHN MORRISON. This witness was never there—why did not she state what she has now stated before the Magistrate?

Witness. I was not before the Magistrate.

COURT. *Q.* Where do you live? *A.* In Holborn-buildings—I have known Seymour's wife only since this occurred, on account of Page living with her—I heard of this on Saturday or Sunday last—I cannot say on which day it was, but it was not longer than that—I think it was on Sunday I heard of it, when I met Mrs. Seymour in the Strand, and she told me of it—she was with a young man named Thomas Phillips, who is a friend of Page—Seymour's wife then told me that Page had been taken up

on this charge—I cannot say whether this was on Sunday or Monday—it was about half-past eight o'clock in the evening—I think it was on Monday night, as I believe the theatres were open—Seymour's wife told me that Page was taken up on a charge about the supper that night—they asked me about the supper, and whether I had not taken supper on that night—nothing more passed than that—I was not before the Magistrate.

JOHN MORRISON. She was there all the whole time of the trial, and the police-constable (L 107) was there—(*this policeman was not in attendance.*)

DANIEL CONNELL *re-examined.* I will not say that I saw her there.

Page. You and another officer were talking to Seymour's wife and another woman. *Witness.* I cannot say that.

RICHARD HALL. I am waiter at Mr. Price's oyster-rooms, in the Strand. I recollect seeing the prosecutor there on Sunday week last with a man, the prisoner Page, and the witness Gibson—they came about half-past ten, or eleven o'clock at night—when they came in first they had half a pint of gin—I fetched it myself—the prosecutor's friend paid for it—I did not see them drink it, I left the room—our cook had gone to bed, and the prosecutor ordered some chops, which I cooked myself—they had three chops, which came to 2*s.* 8*d.*—the prosecutor's friend paid for them—he paid 3*s.*, and gave me the 4*d.*—I learned that the prosecutor's friend's name was Captain Golding—he then lived in a court in the Strand—I know the court, but I forget the name of it—he is now gone to Ireland—I recollect, before the prosecutor's friend gave me any money, that he said to the prosecutor, "Now, you villain, you have ordered the chops, pay for them"—the prosecutor said, "You know I have no money"—the prosecutor's friend pulled the bell-rope down in ringing for me, and he paid me—I saw him take the money out of his pocket.

COURT. *Q.* How do you know all about Captain Golding? *A.* We went on Tuesday night to his lodgings—he had come a night or two before to my master's house, and got drinking—my master learned his name, and he left word where he lived—my master sent me there with two or three more—with Gibson, and a young man named Phillips, and they said he went to Ireland—I do not know what day my master sent me—I think it was Tuesday or Wednesday—it was in March—Mrs. Seymour was with me and Gibson and Mr. Phillips—the first time I saw Gibson after that Sunday night was the night that they came to me—it was on Tuesday or Wednesday—I knew Gibson again directly, that I swear—I have no doubt about her whatever—I had seen her before that Sunday—I had seen her walk up and down the Strand—our shop is next door to the theatre in the Strand.

JOHN MORRISON *re-examined.* *Q.* You state that Gibson is not the woman who was with you? *A.* No—she was a shorter woman than the prisoner Page is, and Gibson is nearly a head taller—she had not got a shawl on as Gibson has, she was quite a young girl, and Gibson is nearly an old woman—I cannot recollect what name she went by.

LOUISA GIBSON *re-examined.* I have on the same clothes that I had on that night—I am twenty-two years of age—I generally go by the name of "the widow."

COURT *to* JOHN MORRISON. *Q.* It is sworn you did not pay this 2*s.* 8*d.*, but Captain Golding did? *A.* If he did it was with my money—the last silver he had he paid in the house where we were, down by Hungerford-market—I swear that Gibson was before the Magistrate—my wife had never seen

Gibson before that day—I sent her to listen to what Gibson and Seymour's wife were saying before the trial came on, and she remained nearly an hour hearing what they said—my wife is in a house just by, and if you send for her, and put Gibson in any corner of the Court, she will pick her out.

THOMAS JOBSON (*police-constable L* 128.) I was on duty at Tower-street station-house on the morning of the 24th of February—I had this charge to take to the Hall myself—the prosecutor met me at the station-house, and had an inclination to speak to me—I would listen to nothing he had to say—I heard him in conversation with his friend at Union Hall, and his friend was interrogating him very closely as to his being capable of swearing to the person who had robbed him—I heard him tell his friend more than once that he was so drunk he could not tell, but he firmly believed that these were the persons who had his money—Gibson is not the girl who was with Seymour's wife at the office—it was a girl younger in appearance, and half a head shorter.

ANN MORRISON. I am the wife of the prosecutor. I recollect on Monday morning, the 2nd of March, there was a charge against Page and Seymour for robbing him—it was at the Police-office—I recollect Seymour's wife being present—there was a man and a woman with her—I think I should know the woman again—I do not see her here—I cannot point her out, as I did not look in her face—she was about the same size as Gibson—my husband has always had a watch since I have been married to him.

JURY. *Q.* Did you know of his receiving a letter from Ireland, and receiving money from there? *A.* Yes—he had 30*l.* a year—he received 15*l.* last month in Birmingham two days before we came from there.

MR. ESPINASSE. *Q.* Did you come with him? *A.* Yes—he had more money than the 15*l.*—he had not been in London many days when this happened—it was in Birmingham my husband got this money, to the best of my belief—I think it was in Birmingham.

JOHN MORRISON *re-examined.* *Q.* You have said over and over again that Gibson was present at the examination? *A.* Yes, she and Seymour's wife were outside the first day, but on the last day Gibson got in early in the morning—she and Seymour's wife, and I sent my wife to the back of them; and more than that, the policeman had been talking to them, and my wife complained very hard to me about them—I received the 15*l.* in Bolton—my wife knew that I got a letter and received some money.

(William Cox, a grocer, in Cornwall-road, gave Seymour a good character.)

PAGE—GUILTY. Aged 20.
SEYMOUR—GUILTY. Aged 23. } Transported for Ten Years.

1014. JOSEPH BROWNING was indicted for stealing, on the 28th of February, 13lbs. weight of metal solder, value 6*s.*; the goods of Sir Henry Webb and others: 2nd COUNT, stating it to be the goods of William Munro.

MR. PAYNE *conducted the Prosecution.*

WILLIAM MUNRO. I am Superintendent of a Company at Battersea, of which Sir Henry Webb is chairman—there are others connected with it—the prisoner worked as plumber there—he has generally furnished us with the solder for the work at 6*d.* a lb.—he was paid every Saturday—on the 25th he brought 24lbs. weight in ten bars—I marked them on the end, and they were deposited under a shelf in the counting-house—he came there the next day, and asked for some metal to solder a cistern—he took five bars for that purpose—he came again the next day, and took five more—on the

morning of the 28th the prisoner's labourer, Charles Dove, brought some solder—the prisoner was present—it was put into the scale to be weighed—the moment he put it into the scale he came to me and reported himself as being correct to time—I walked to the scale and saw three of the bars which I had marked among the eight which were there—the prisoner came to me in the evening and asked me to take the weight of the solder—I asked him twice over how many bars there were—he said, "Eight"—I said, "Are you sure there are eight?"—he said, "Yes," counting them—I then ordered them to be taken to the counting-house, and saw the three that I had marked, and recognised in the morning—I called two men to weigh them, and about three-quarters of an hour after, I saw the prisoner, and told him I had a very unpleasant charge to make against him—I told him he was selling me solder twice over—he denied it—I told him it was no use to deny it—he said, "I hope you will deal leniently with me, and not give me in charge," as he would appear to-morrow morning—I said I could not do such a thing, as I was answerable for the property to the company—I gave him into custody, and delivered the three marked bars to the officer—these are them—(*looking at them.*)

Cross-examined by MR. PHILLIPS. *Q.* Is this your hand-writing to this deposition? *A.* Yes—I did not tell the Magistrate that the prisoner said he hoped I would deal leniently with him, because the question was not asked me—I first saw these three bars at seven minutes past seven o'clock—I afterwards saw the prisoner in the factory, standing close to Dove—I remarked it in my own mind—I mentioned it at a quarter to six o'clock in the evening—I and Dove have never had any conversation with respect to Dove's wages—I had understood by a man in the factory that the prisoner charged 18*s.* a week for Dove's wages, and gave him only 15*s.*

MR. PAYNE. *Q.* Do you know what wages were allowed to the prisoner for Dove? *A.* 18*s.*

CHARLES DOVE. I am a labourer, and worked for the prisoner. On the 27th of February, in the evening, he gave me directions to call at his house on the following morning—I did so, at twenty minutes before seven o'clock, and found some bars of solder in the passage—he had left his house, and gone to the factory—I took the bars there, and saw him there—he told me to put the eight bars of solder into the scale, and I did so—it was weighed in Mr. Munro's presence.

Cross-examined. *Q.* Were there any other bars of solder lying there besides the eight? *A.* No—I cannot swear there were not—Mr. Munro did not make any observation to me about them—I told him I had 15*s.* a week from the prisoner—on the Saturday morning, the 29th, Munro said it was a great shame that I should only have 15*s.* a week, when the prisoner had 18*s.* from the firm—I was never taken up for any robbery—I was accused of one by a person who is here to give the prisoner a character—I considered myself innocent—I was sent from his employ, and taken in by the prisoner out of charity. NOT GUILTY.

Before Mr. Sergeant Arabin.

1015. CHARLES WILLIAMS was indicted for stealing, on the 29th of February, 180 lbs. weight of rope, value 14*s.*, the goods of George Bonnor, his master.

MR. ADOLPHUS *conducted the Prosecution.*

HENRY BROWN. On the 29th of February I was in the service of Mr.

onnor, at his premises, in the oakum-room on Bermondsey-wall—the risoner was his managing man. I saw a man go by in a boat, the risoner beckoned to him, and he came as near as he could—he got across ie bridge, and into the warehouse, alongside of a stack of rope—the risoner took up two small bundles of rope, and put them into the scale—ie man came in, the prisoner pointed down to the scale, and then he illed his master to come and see it weighed—he did so, and the rope was ut up again, and the man went away—at night the man came and received me money for it, then the prisoner was paid his wages, and I was paid -the prisoner told me to go over to the public-house—I saw the man sitting iere, and some money pass between them—the prisoner said, "If you don't me up to the *scratch*, I will *cut* it altogether"—he paid me 3*s*. that he owed ie.

Cross-examined by MR. PAYNE. *Q*. How old are you? *A*. Eighteen -I have been with the prosecutor a fortnight—I was up in the oakum ift at the time—I could see them through a hole—I was picking oakum—I iw the rope weighed—I told of this the next day—I was frightened to tell iy master, I should have got knocked down—I received my wages of iy master on the Saturday night—I have never been accused of any thing -I ran away from school at Morden twice—I did not tell Mr. Smith that was punished for taking a pair of shoes from a public-house, and selling hem for 2*s*.—I was not at work at Mr. Branch's yard—I used to go here—I had loaded carts for the prisoner, and received 3*s*. for it—I rorked for Hayter and Reed before that.

MR. ADOLPHUS. *Q*. How long is it since you left school? *A*. Seven or ight years—my wages at Mr. Bonnor's were 12*s*. a week—the prisoner old me if I would hold my tongue they would be about 25*s*.—I went home nd told my mother, and she advised me to tell my master.

Cross-examined. *Q*. Did you mention about coming up to the *scratch*? *A*. Yes, at Union-hall—what I said was read over to me.

GEORGE BONNOR. I carry on business at Bermondsey. I remember he prisoner calling me down to see some rope weighed—he weighed it—paid the man accordingly—the prisoner has been in my service two or hree years—I had placed great confidence in him—Saturday night is a ery busy night, and I am not open to any talk from my servants then.

Cross-examined. *Q*. You were in the habit of leaving town? *A*. Yes, -I found him always correct—I have frequently trusted him with large ums of money.

(The prisoner received a good character.)

GUILTY. Aged 26.—Confined Nine Months.

1016. CHARLES WARREN was indicted for forging a receipt for 2*l*., with intent to defraud John Bushell.

(MR. PAYNE declined the Prosecution.) NOT GUILTY.

ADMIRALTY CASE.

1017. GEORGE BYRON was indicted for embezzling Government Stores; to which he pleaded

GUILTY.—Confined Twelve Months.

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W. Tyler, Printer, 5, Bolt-court, London.

CENTRAL CRIMINAL COURT.

MARSHALL, MAYOR. SIXTH SESSION.

A star (*) denotes that prisoners have been previously in custody—Two stars (**), that they have been more than once in custody—An obelisk †† that a prisoner is known to be the associate of bad characters.

LONDON AND MIDDLESEX CASES.

OLD COURT.—*Monday, April 6th*, 1840.

First Jury, before Mr. Recorder.

1018. GEORGE HUCKLEBRIDGE was indicted for a libel; to which he pleaded

GUILTY. To enter into his own recognizance to appear next Session to receive judgment.

1019. RICHARD SAUNDERS and JOHN BIRD were indicted for burglariously breaking and entering the dwelling-house of John Smith, about the hour of nine in the night of the 24th of January, at St. Paul, Covent-garden, with intent to steal, and stealing therein, 16 spoons, value 10*l.*; 1 pair of sugar-tongs, value 16*s.*; 1 pair of nut-crackers, value 2*s.*; 2 coats, value 5*l.*; 2 waistcoats, value 30*s.*; 28 yards of woollen cloth, value 20*l.*; 110 yards of cassimere, value 40*l.*; 15 yards of valencia, value 5*l.*; and 7 yards of velvet, value 7*l.* 7*s.*; his goods.

MR. CLARKSON *conducted the Prosecution.*

JOHN SMITH. I am a tailor, and live at No. 17, Tavistock-street, in the parish of St. Paul, Covent-garden. On the 24th of January I had a person in my employ named John Hall—I went to bed that night about five minutes past eleven o'clock—before I went to bed I fastened all the bolts and locks of the doors—I fastened the street-door myself—I have a coal-hole opposite the house covered by an iron plate—if the plate is taken up, a boy could get down—I have measured it—I came down stairs next morning (Saturday) at seven o'clock, and found a door, in the passage leading into the shop, broken open—that had been locked and bolted the night before—I went into the shop, and found every thing in confusion—a square of the glass of the door had been cut away entirely—part of the door is glazed—the bolt of the door is inside—moving the glass would enable a person to undo the lock, the key being inside, but the bolt was forced—it was entirely broken away by force—it is not an outer door—I missed several pieces of black cloth, several rolls of kerseymere, a quantity of waistcoat-pieces, two suits of clothes, and the best part of the property of the shop—the plate was kept in a drawer in the kitchen, and from there were taken some silver table-spoons, some salt-spoons, gravy-spoons, nut-crackers, and a tea-caddy—the parlour door was forced open—I lost, in all, property to the amount of 110*l.*—it would cost that to re-purchase it—the coal-cellar door has no fastening to it—if a person dropped down the

hole they could get into the kitchen by opening a window opposite to the coal-cellar, which was shut down, but was never fastened—it required some strength to move it, for the servant never could lift it up—Hall was an out-door apprentice, and had been with me six months—he was apprenticed for three years—I know nothing of the prisoners.

JOHN HALL. I have been in Mr. Smith's service for six months. I have now come from the infirmary of Newgate—I have been there ever since the Saturday morning after I was taken—I have been in custody twice before, the first time was for being seen with a young man of bad character, I was put in Clerkenwell prison, and remained there a week; the other time was, nearly twelve months after, for being seen with two bad characters—the first time was about three years ago, and the last time about a twelvemonth ago—I was a month in the City Bridewell the last time—I am eighteen years old—I have known the prisoner Bird six months, and Saunders about the same time—I was in the habit of meeting them both at the Duke of Argyle public-house, in Laystall-street, at different times, very often—I know a boy named *Charley*—he is about eighteen or nineteen years old—he is not as stout as me—I also know a man named Mitchell, he lived in Petticoat-lane, Whitechapel—I became acquainted with him by seeing him in company with Saunders, and I became acquainted with *Charley* by seeing him in their company—On Friday evening, the 24th of January, I met the two prisoners at the Duke of Argyle public-house, and for two or three evenings before—it was suggested by Saunders that my master's house should be plundered—he persuaded me to rob my master two or three days before the robbery was actually committed—we met at the Duke of Argyle public-house, in Laystall-street, to arrange it—Saunders, Bird, Mitchell, another man, and the boy *Charley*, I believe, were present—we were together there on the night of the robbery; I believe it was after eleven o'clock—Saunders asked me where the money was kept—I told him I did not know—he asked me where the plate was kept—I told him, in the back-parlour—Saunders proposed that the coal-hole plate in the area should be taken up, and that the boy *Charley* should go down it, get into the area, and make his way into the house—five of us went to the house, Saunders, Bird, another person, myself, and *Charley*—Mitchell said he would buy any thing we got from the house—we did not go straight from the Duke of Argyle public-house to my master's, we went into a public-house in Holborn first—I do not know the sign, but it is on the left-hand side—I was never there before—Mitchell paid for half-a-pint of gin there, and wished us good evening—we then went to my master's—it may have been a little after twelve o'clock when we got there—the coal-hole plate was taken up by one of them, I do not know which, and the boy got down, went through the kitchen, and opened the street-door—I saw him go through the area window—I remained till the street-door was opened—Saunders was outside stopping by me there, about two or three yards from the door—Bird and the other man went in—Saunders said I had better go home, and to meet him at his own house, in Bedford-court, Bedford-street, at eight o'clock next evening—I went away by his persuasion—I went to my master's next morning, as usual, and in the evening I went to Saunders's house, as he had appointed—I saw him there, and he said he had fetched the *cab* to Mr. Smith's house at three o'clock in the morning, and taken away the goods, which were put in the passage, to Mitchell's house, in Petticoat-lane, and there sold some of it, I believe,

to him, and that there was a portion of the money for me, which he gave me, it was six half-sovereigns—that was all I received—I believe Mitchell is a Jew—Saunders said he had sold it to Mitchell the Jew, for 15*l*., and three sovereigns was my share of it—he said there were some cloths, velvets, two suits of clothes, and some plate, which he had taken away—I did not tell of this till I was taken into custody—I do not know when that was—I believe it was a fortnight afterwards, or more—I told the story to my master, in the officer's presence, and went with Weston the same evening to a public-house in Leather-lane, I do not know the sign—we went there with the intention of getting Bird, because that was the house he used—the officers were disguised—we found Bird there after a time or two—we went and took a walk, returned, and then found him there—I went up and spoke to him, and had something to drink—I then asked him to come along with me—(the officers were with me)—he said he would, and he did go as far as Greville-street, Leather-lane—I asked him two or three different questions—he said the boy that did the robbery was taken up, with some *screws* on him—that is the *cant* phrase for keys—I do not know what sort of keys they were—when we got to Greville-street he said he would not go any further—the officer then took him into custody—he used some vulgar expression to me, I do not know what it was, and said if he knew I was going to *split* he would have *done* for me—in going to the station-house he made a kick at me, and kicked the officer—he did not say any thing then, nor at the station-house, that I know of—I afterwards went with Montgomery and Weston the officers to Saunders's house in Bedford-court, and found him there in bed about three o'clock in the morning—I said nothing to him, but Weston said he was his prisoner—next day I went with Weston, Montgomery, and two or three more, to Mitchell's house, in Petticoat-lane—I do not know the time exactly, but it was about three o'clock—he was not at home—we found him at a public-house in Petticoat-lane, I do not know the name of it—I went into a good many public-houses, to see if I could find him, and at last went to this one, where he was—I asked him how he did—that was all that passed—he was taken into custody then—I believe Montgomery took him—I believe he tried to get away when he came out, but Montgomery and another officer stopped him—I had not said any thing to him about what he was charged with before he tried to make his escape.

Cross-examined by Mr. Payne. *Q.* Who were the first persons you accused of being concerned in this robbery? *A.* I did not accuse any body in particular—Mr. Smith asked me if I had any suspicion of the servant-maid, and a man who was in the habit of paying his addresses to her, and I said, "Yes"—that was false—Saunders persuaded me to do it—I did not make any statement against them at the office—my master asked me and the foreman as well if I suspected them.

Q. Did you give him any reason for suspecting them? *A.* I had seen the young man there at different times—that was all I could say, and I said I had taken a letter and put it into the post for the servant on the Thursday evening, as the robbery was committed on the Friday—I gave that as a reason to my master—Saunders persuaded me to do so, or I should not.

Q. Why, how could he know that the question would be asked by your master? *A.* I do not know—I have never been in trouble, except the twice I have mentioned—I did not tell my master, when I was apprenticed,

that I had been twice in prison—I swear that I saw Saunders on the Saturday evening after the robbery at his own house, about eight o'clock, or a little after, in his bed—it was then that he gave me the six half-sovereigns—I knew that morning that my master had lost 100*l.* worth of property—I took the three sovereigns as my share of it—I remonstrated with Saunders about the smallness of the sum—I did not get any more.

Bird. *Q.* When you came with the officers the night I was apprehended, were they disguised as sailors? *A.* Yes—there was no robbery at the West-end talked of, that I know of—I did not say the sailors were any body in particular—I believe I said to one of them, "*Jack* give me 1*s.*," and Weston gave me 1*s.* to pay for some drink—you came out with us to take a walk—I did not ask you for any keys to go and commit a robbery at the west-end—I do not know the reason why you came out.

Bird. It was to go to the proposed robbery, and when I refused to go any further I was taken into custody.

COURT. *Q.* Was any mention made by the officers or you to Bird about any proposed robbery? *A.* No—he came out to take a walk with us—nothing else—I merely said, "Come and take a walk with us"—I did not put any question to him about any keys—I do not know how he came to say the boy was taken with the keys—I believe he said it loud enough for the officers to hear—Weston was with me at the time—he heard it—he told me so in the public-house—I said that the sailors were friends of mine—I did not say exactly what sort of friends.

Q. What made him say he would go no further? *A.* I suppose then he had suspicion they were officers.

Bird. *Q.* How many policemen were there at this time? *A.* Six or seven, waiting outside—I saw you first inside the public-house, not on the opposite side of the way—I asked you to drink.

GEORGE WESTON (*police-sergeant F* 6.) I took the witness Hall into custody in Liquorpond-street on Friday, the 31st, by the prosecutor's direction—he was with him at the time, just by the brew-house, and about three or four minutes' walk from Bedford-court—he made some disclosures at the station-house the same day, and I went with him and another person, about half-past ten o'clock, to a public-house in Leather-lane, I do not know the name of it—we saw Bird standing at the door—I did not know him, but Hall pointed him out to me—he and Bird went into the public-house—they appeared to know each other—I followed them in—Bird said to Hall, "Well, *Jack*, how are you to-night?"—they came out in about a minute or two, and walked towards the City way together—I followed them—I was dressed like a sailor—they were talking, I do not know what about—Hall, I believe, said, "We have got another good *swag* to-night," and to come on—they walked about fifty or sixty yards—Hall then turned round, and said, "Sergeant"—he either forgot himself, or did it on purpose, I do not know which—Bird immediately looked round, and said, "I don't go any further; you b——, if I had known you were going to *split* on us, we would have murdered you"—I had not said any thing to him up to that time about any robbery he was supposed to have a share in—I said, "You are my prisoner"—he resisted very much indeed, and I put the handcuffs on, with the assistance of three other constables—in going to the station-house he made a violent kick at Hall, and said, "You b——, we will do for you yet"—we conveyed him to the station-house, and then went in company with Hall, to Saunders's house—Hall went up, knocked at the

door, came down, and said, "It is all right, he is at home"—I went up, and Saunders was in bed with his wife—I told him what I wanted him for—he said he knew nothing at all about it—I did not know Hall before this time—I should not have known where to go but from his information—we searched Saunders's room, but found nothing there.

Cross-examined by MR. DOANE. *Q.* Had he any children? *A.* There was an infant in bed with him—I found no new clothes or any money—there was a large stock of combs, which I have heard he deals in.

MR. CLARKSON. *Q.* Had you learnt before from Hall that Mitchell had given 15*l.* for the whole? *A.* Yes, and did not expect to find any thing at Saunders's.

Bird. *Q.* Did you hear what Hall said to me, concerning the robbery he and the sailors were going to commit? *A.* No—I did not say any tools that might be wanted I could get at the West-end—I said, "Never mind about any tools, come on"—you had mentioned something about tools going along—I searched you at the station-house—I did not find any false keys or housebreaking implements on you, nor any money—I had never seen you with Hall or Saunders before that evening—I had never seen you before, to my knowledge.

MR. CLARKSON. *Q.* Was any thing said about a boy? *A.* Something was said about a boy—Hall said in the public-house, "Where is *Jack?*"—Bird said, "So help me G— he is *pinched* for a coat since that night"—this was before we went to Saunders—I do not know the boy called *Charley* or *Jack*.

COURT. *Q.* He did not say any thing about the boy that was taken with the keys? *A.* Not in my presence, but I did not hear all the conversation between Hall and Bird—they did not speak very loud—there was a female with them in the public-house.

WILLIAM MONTGOMERY (*police-constable F* 41.) On Saturday, the 1st of February, I went with Hall and the officers to Leather-lane—we were dressed as sailors—I saw Bird in the bar talking to Hall and Weston as I entered—they spoke together a few minutes, and then went out, Hall, Bird, and Weston—I followed them—they walked along the street twenty yards, I should say—Bird instantly stopped, and said, "I will go no further"—Weston said, "You are my prisoner"—he instantly turned round to Hall, and said, "You b— if I had thought you had *split* I would have murdered you"—I then likewise took hold of him, and secured him—I afterwards went with Hall to a house in Petticoat-lane, and then to a public-house to apprehend Mitchell—Hall went to the tap-room door, and called a man to him—they conversed together about two minutes—Hall then left him, and told me it was Mitchell, one concerned in the robbery—Mitchell went into the tap-room, then came back, and went out into the back yard—I followed him—he undid his braces, waistcoat, and coat—I asked where he was going—he said, "To the water-closet"—I told him I should wait till he returned—he then said he would not go—he went back to the tap-room—I followed him—he came out again in a minute, ran to the street-door, and tried to get away—I instantly ran after him, and secured him in the middle of the road—I had not mentioned that he was charged with any thing—he was afterwards admitted to bail before the Justice—he gave two false addresses—we could not find him at either—sergeant Chadwick inquired at both.

ROBERT CLARK. I am a labourer, and live in Liquorpond-street. I

do not know the witness Hall—(*looking at him*)—I have seen him—I never saw him in a public-house—I was examined before the Magistrate—I know Saunders and Bird—I saw Mitchell before the Magistrate—I know the Duke of Argyle public-house, in Laystall-street—the prisoners used to frequent it—I did not see them there on the Friday before I was before the Magistrate—I cannot recollect that I did—I have seen them together frequently—I was before the Magistrate on Friday, the 5th of February—I had seen the prisoners at the Duke of Argyle public-house about a fortnight before that—I did not see Hall there—I never saw Hall there—I have seen Saunders and Bird there, but not Hall—(*looking at his deposition*)—this is my hand-writing—I can read a little—what I said before the Magistrate was read over to me before I put my name to it.

COURT. *Q.* Is it all fresh in your recollection what happened a fortnight before you were before the Magistrate? *A.* No—I had seen them before.

MR. CLARKSON. *Q.* What do you mean by "*them?*" *A.* Saunders and Bird—I do not recollect seeing Hall with them—I have seen them there several times—I cannot say as to Friday exactly—I never saw Hall there while Saunders and Bird were there, not on any occasion—I never saw the three together in my life—I have seen the prisoners at the Duke of Argyle public-house in an evening—I cannot say at what time—I have seen other persons with them—I have not seen such a person as Hall there—I am sure of that, not on any occasion, never on a Friday evening—I work for Mr. Daw, a japanner, in Laystall-street, occasionally, not regularly—I do portering, or any thing when not at work for him—Saunders lives in Bedford-court, Bedford-street—I have been in his house once, about two months back, never since that—I was not there in the last month—I do not know where Bird lives, nor Mitchell—I never saw him except at Bow-street—I never saw him at the Duke of Argyle public-house, nor any body that I could mistake for him.

COURT. *Q.* Where have you seen Hall, if not at the public-house? *A.* I have seen him frequently about that neighbourhood—I never saw him at the Duke of Argyle public-house, to my recollection.

Q. How came you to state before the Magistrate that you had seen all three together, mentioning Hall by name? *A.* I do not know that I stated that—I stated that I saw Saunders and Bird.

LYDIA THORPE. I am the wife of John Thorpe—I fill a situation at the Duke of Argyle public-house, in Laystall-street—I know Hall by sight—I have seen him at our public-house—I remember his coming there on a Friday in January—I cannot say the day of the month—I know Saunders—he was backwards and forwards at the public-house for three weeks or a month—I cannot say what day I was before the Magistrate—as near as I can reckon it was about three weeks before that that I saw Hall at our house—it was on a Friday—I saw Saunders come there that Friday, and call Hall out—that was all I saw of him—I did not see Bird there then—I knew him by sight—he used to come in and out along with Saunders—I never saw Mitchell but once, that was at the Duke of Argyle public-house, when Saunders and Bird were there—I cannot recollect seeing Hall there that day—a little boy used to come there—I do not know what he was called—he was not there that day that I saw.

Cross-examined by MR. PAYNE. *Q.* When you saw Hall at your public-house the last time, was he alone? *A.* Yes, he came in alone—

I cannot speak to the day at all—Saunders came there occasionally to have a pint of beer—I never saw Hall, Bird, Saunders, and Mitchell there all together.

WILLIAM FINCH. I was a police-constable F 29. On the 24th of January last it was part of my duty to be in Tavistock-street—I went on duty at nine o'clock in the evening, and left at six o'clock next morning—I had to go round Southampton-street, into the Strand, Exeter-street, and then back again—I saw Saunders in Tavistock-street that night between twelve and one o'clock with a man who I do not know—they were a few doors from the prosecutor's house—they were not in my sight above the space of their passing—they were walking together, not standing still—I had no reason to suspect them.

Cross-examined by MR. PAYNE. *Q.* They did not even speak to each other, did they? *A.* I did not take any notice—I only saw them in passing—I had never seen Saunders before to my recollection—I know him by his features—I took particular observation of him in passing—I am not in the police now—I left it on the 23rd of last month—I got a situation in the country in my own trade—I was four months in the police—the prosecutor's house was on my beat—I did not see any *cab* there that night taking away any property, nor did I see any body lifting up the coal-cellar flap.

Q. Do you mean to swear to a man you had never seen before, and then only for so short a time? *A.* Yes—he had a hat on, and a brown sort of great coat, it was a long coat, I do not exactly know the colour—I kept walking round my beat all the night—I observed nothing particular at Mr. Smith's—I found his premises always fast.

MR. CLARKSON. *Q.* Had you any assistance from the gas-lamp in seeing the countenances of the two persons? *A.* Yes, I am quite sure Saunders is the man—I did not mention having seen him till the third examination—I had not left the police then—I saw him at the station-house, and knew him directly—the parties did not know I knew any thing about him till I saw him at the station-house.

JAMES LEWIS ASHMAN (*police-constable F* 119.) On Friday morning, the 31st of January, I saw Hall go into the Duke of Argyle public-house—I stood at the end of Laystall-street about twenty minutes—I then saw Saunders come out of Bedford-street, and go into the Duke of Argyle—he staid there about five minutes—they both came out together, and were in conversation outside the door for about five minutes—they went from there into Bedford-street, and into Bedford-court, I believe, and went into the house where Saunders lives—they remained there about twenty minutes—they came out together, went up Bedford-street, and went to the back of Clerkenwell Sessions-house, went into a pawn-shop, and came out again—Saunders then had a coat on his arm, which he had not taken in with him.

Cross-examined by MR. PAYNE. *Q.* What sort of a coat was it he brought out? *A.* I believe it was a brown coat—it appeared to be a great coat—it is not claimed by the prosecutor.

WILLIAM CHADWICK (*police-constable F* 2.) I know nothing of this transaction, except as relating to Mitchell.

Bird's Defence. On Friday evening, the 31st of January, I was standing at the door of a public-house in Leather-lane, talking to a female; I saw Hall and two sailors, as I supposed, on the other side of the way; they

crossed towards me, and went into the public-house where I was standing; I asked Hall who the persons were: he said, one was a brother of his, and another his cousin, and he said to the one he called his cousin, "*Jack*, lend or give me a shilling;" he gave him one, and he paid for some gin with it. I then entered into conversation with him in presence of Weston, he said he and the two sailors were going to the west end of the town, to commit a robbery; he said the two sailors had not been long home from sea; that they were living at the West-end, and were going to the place that night; could I find some false keys or housebreaking implements to take with them, and asked me to accompany them; I said, I did not know where to find such things, nor what was fit for such a purpose; he said, "Come outside, and we will have a bit of talk about it." I went out with him and the two sailors; Weston said, "If we don't make haste, my lads, we shan't be able to do it to-night," and he called a coach, with the intention, I supposed, of going to the West-end, to commit the robbery. When I ascertained their object was to commit a robbery, I refused to go any farther with them, and I returned back, intending to go back to the public-house which I had left, when Weston said, "You are my prisoner," and seized me by the collar. I said to Hall, "You b—, you persuaded me to do what is not right in presence of the officers to *split* on me; you ought to be murdered;" those were the words I used, but they have been twisted and strained by Weston into something else. Had I not sufficient provocation to use those words? when men, whose duty it is to protect the public, come and lay down such a trap as this, trying to ensnare a man into a share in a robbery, and when he positively refuses to join in it, or go further with them, seize him as a prisoner. Now Weston says I was outside the public-house when they first saw me, and Hall says I was inside; they directly contradict each other. Consider the number of policemen there at the time, (seven;) was there any necessity at all to come into the public-house to take me when I was standing outside with a female; as to resistance, I made none. I was taken to the station-house, searched, and no money or property found on me; policemen came to see me from every division in the metropolis, and none could say they knew or heard any harm of me; Mrs. Thorpe positively says I was not at the Duke of Argyle in company with Hall; Hall said there were seven persons assembled at that house the day the robbery was committed; Mrs. Thorpe said there was not: when she was first examined she said there was only me, but Weston induced her to get up a second time; he said, "You have come up intending to speak to Mitchell, and you forgot him altogether:" she then said she thought about three weeks ago Mitchell was with us, "but Hall," she said, "was not there then." It seems to me that Hall brings this charge against me to screen the really guilty parties; he, no doubt, knows who they are, and he will go from here to enjoy with them his guilty earnings: knowing you will not give credit to such an abandoned and worthless wretch, I resign myself, gentlemen, into your hands.

(Saunders received a good character.)

SAUNDERS—GUILTY. Aged 46. } Transported for Fifteen
BIRD—GUILTY. Aged 29. } Years.

NEW COURT.—*Monday, April 6th*, 1840.

Fifth Jury, before Mr. Sergeant Arabin.

1020. JAMES AUGER and HENRY JACKSON were indicted for

tealing, on the 15th of March, 3 bottles and 3 quarts of wine, value 9*s*., the oods of William Henry Bodkin, the master of Auger; to which Auger leaded GUILTY. Aged 24.—Confined Three Months.

WILLIAM HENRY BODKIN, ESQ. The prisoner Auger was my footman or nearly three years. I believe the wine in question was mine—I found on he corks the seal of my wine-merchant—I do not know Jackson—I unerstand he is Auger's brother-in-law, and came once a week to fetch his nen.

EDWARD KELL (*police-constable S* 103.) On Sunday morning, the 15th f March, about eight o'clock, I saw Jackson, with a bundle on his shoulder, early three miles from Mr. Bodkin's house—I asked what he had got—he aid, nothing belonging to me; he had been to Highgate, and had got some andles, and was going to take them to his brother, who was at work on he Greenwich rail-way—I took him to the station-house, opened the undle, and the first thing he pulled out was a bottle, then some candles, nd two more bottles, and out of his pocket a pair of shoes and three small panned waiters—I asked him where he got them—he said from his rother-in-law, who was living in a gentleman's house as footman—I asked im to show me the place—I went with him to Mr. Bodkin's—I went to ing the bell—Auger came to the door—I asked if he had given that man ny thing—he said, "Yes"—I said I wanted to see his master or mistress —he offered me 10*s*. not to see them, then offered me one sovereign, hen two sovereigns, and then all he had got—I pushed him on one side, nd said I would go to the kitchen—I went—he got into the stable-yard, nd then an officer brought him back—he had got the coachman's hat, and as going off—he asked me to take out the bottles, and put in three jars, ut I would not—I then saw the lady of the house, who told me to take hem into custody—here is one bottle of port, and two of sherry.

Jackson's Defence. I did not know what was in the bundle.

JACKSON—GUILTY. Aged 38.—*Recommended to mercy by the Prosecutor and Jury.*—Confined Three Months.

1021. JOHN HOLT and GEORGE WHITTALL were indicted for tealing, on the 19th of March, 1 purse, value 1*s*.; 3 sovereigns, 1 half-overeign, 2 sixpences, and 1 groat; the property of Joseph Thomson, from he person of Emma Thomson.

EMMA THOMSON. I am the wife of Joseph Thomson. I was walking ith a friend in Fleet-street, from three to five o'clock, on the 19th of larch—I had a purse in my pocket which contained three sovereigns, one alf-sovereign, and a little silver—the first thing that drew my attention as a pressure behind me, and then a second pressure—I walked on—a erson told me I had been robbed—I put my hand into my pocket, and issed my purse, but I did not see any one near me—I am sure my purse ad been in my pocket—I had a white pocket-handkerchief, which was anging partly out of my pocket, not as I had placed it—the prisoners ere both taken immediately—I saw my purse in the hand of the police-an—this is it—it contains the money mentioned.

Cross-examined by MR. BALLANTINE. *Q.* I suppose there were a great any people about? *A.* Yes.

JOHN SPENCER SMITH (*City police-constable, No.* 341.) I was on duty —I saw this lady and her friend walking, and the two prisoners and an-ther were there—I saw them speaking together—I watched them from

Ludgate-hill—a short distance up Fleet-street there was a bit of a stoppage, and Whittall went very close to the lady—I followed him up, and saw him *grab* at the lady's pocket, and the white handkerchief partly fell out—I took him by the collar, and he dropped this purse from his right hand on the pavement—the other prisoner was as close behind him as he possibly could be, so as to cover him—I took Whittall, and Spring, whom I had beckoned over the road, took Holt, who ran away—the third made his escape.

Cross-examined. Q. Was the street very crowded? A. Not particularly, not more that usual—I cannot say whether others were as close to the lady as the prisoners were; there might have been—I did not look at others, I looked at them—there might have been other persons between them and the lady—I cannot say there were—I did not see any—there might have been persons between me and them, but not when they spoke together.

JOHN SPRING (*City police-constable, No.* 128.) I was in Fleet-street—my brother officer called and said, "You take the one with the velvet-collar"—the prisoners were close to the lady—I saw Holt nudge Whittall, and then we watched them till we saw the handkerchief drawn—Smith seized Whittall, and I seized Holt, but missed my hold—he ran down towards Farringdon-street—I pursued him—he *dodged* me between the coaches, and turned up towards Fleet-street—I called out, "Stop him," and a gentleman ran to catch him—he *dodged* him, and then I caught him opposite White Horse-court.

Cross-examined. Q. How long did this take? A. A minute and a half, or a little more—I had great difficulty in not being run over—there were other people about.

(Holt received a good character.)

HOLT*—GUILTY. Aged 40.—Transported for Fifteen Years.

WHITTALL—GUILTY. Aged 17.—*Recommended to mercy by the Prosecutor.*—Confined Six Months.

1022. JOSEPH PAGE was indicted for embezzlement.

JOHN POPE. I am a wholesale stationer, and live in Birchin-lane. The prisoner was my town traveller, and received monies on my account—he ought to account to me on the next morning for all monies he received.

Cross-examined by MR. PHILLIPS. Q. How long have you known him? A. About nine years—he has been in my employ about two years—I do not know whether he had a family—he had 2*l.* a week—he had no allowance for travelling.

DAVID TOLMAIN. I am a grocer, and deal with the prosecutor. On the 13th of June I paid the prisoner 2*l.* 3*s.* on account of his master.

JAMES LAW. I am a grocer. On the 28th of February I paid the prisoner 4*l.* 17*s.* on account of his master.

GEORGE HENRY HYMS. I paid the prisoner, on the 4th of March 4*l.* 15*s.* 2*d.* for his master.

JOHN POPE *re-examined.* The prisoner did not account to me for these sums.

Cross-examined. Q. Are you not aware that he must have been put to some little expenses? A. No—I have been in the same situation myself and found the same wages sufficient for me.

(The prisoner received a good character.)

GUILTY. Aged 39.—*Recommended to mercy by the Jury.*—Confined Twelve Months.

1023. JAMES WILKINSON was indicted for stealing, on the 2nd of March, 200lbs. weight of metal, value 20*l.*, the goods of Andrew Spottiswood, his master; to which he pleaded

GUILTY. Aged 26.—Confined Three Months.

1024. HENRY WILDY and THOMAS FISHER were indicted for stealing, on the 9th of March, 3 loaves of bread, value 2*s.* 6*d.*, the goods of John Sweetland; and that Wildy had been before convicted of felony.

WILLIAM RENEY. I am a baker, living with John Sweetland, in Howland-street, Tottenham Court-road. I went out with my bread, on the 9th of March, about a quarter past ten o'clock in the morning—I left my basket at the corner of Francis-street for about five minutes—when I returned I saw the prisoners on the other side of the way—I went to serve another customer, and while doing so, I saw Wildy give Fisher a handkerchief—he stood on the other side while Fisher took the bread, and wrapped it in the handkerchief—they were then taken into custody—Fisher ran away—Wildy followed him close behind, but did not run.

WILLIAM MATTHEW (*police-constable E* 65.) I took the prisoners, and received the loaves.

HENRY COMPTON (*police-constable D* 87.) I produce a certificate of the prisoner Wildy's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person—I was a witness.

WILDY—GUILTY. Aged 21.—Transported for Fourteen Years.
FISHER—GUILTY. Aged 11.—*Recommended to mercy by the Jury.*—Transported for Seven Years.—Isle of Wight.

1025. WILLIAM OAKFORD was indicted for stealing, on the 30th of March, 1 handkerchief, value 5*s.*, the goods of John Bennett, from his person.

JOHN BENNETT. I am a goldsmith. On the 30th of March I was at the General Post Office, just before six o'clock, looking at the people coming in to post their letters—I had a handkerchief in my coat pocket—I put my hand into my pocket, and it was gone—I had used it very frequently—I looked round, and saw the prisoner, with his back turned towards me—I concluded by his moving that he was the thief—he went down the steps—I followed him, crying, "Stop thief"—he then took the handkerchief from his breast pocket, and threw it on the pavement—I did not lose sight of him at all—this is my handkerchief—(*looking at it.*)

JOHN PATRICK. I saw the prisoner drop the handkerchief, and picked it up.

Prisoner's Defence. It is a thing I never did in my life.

GUILTY. Aged 22.—Confined Six Months.

1026. WILLIAM MUNRO was indicted for stealing, on the 18th of March, 1 purse, value 1*d.*; 1 half-crown, 1 shilling, and 3 sixpences; the property of Joseph Aked, from the person of Elizabeth Aked.

ELIZABETH AKED. I am the wife of Joseph Aked. On the 18th of March I was at a sale in Red Lion-court, Fleet-street, between twelve and one o'clock—I felt a pressure against me several times—I had a purse in my right-side pocket, which contained a half-crown, a shilling, and three sixpences—a gentleman asked me something—I felt my pocket, and my purse was gone, and my dress cut—I went to the top of the stairs, and Adams was bringing the prisoner up—this is my purse, and contains the money stated—(*examining it.*)

Prisoner. *Q.* How can you identify the purse? *A.* I know it very well, it belongs to my apprentice.

GEORGE ADAMS. I am a furniture dealer. I was at the sale—I saw the prosecutrix and another lady at the front of the table—the prisoner was behind fumbling about her dress—he drew his hand from her person, turned round, and went down stairs—I went and took him on the staircase, and when he got on the landing I said, "You have robbed this lady"—I took hold of his arm—he gave me the purse, begged me, in God's name, to let him go, and said he had not done it—I heard this knife drop from him, and took it up.

HENRY GORDON (*City police-constable No.* 87.) The prisoner was given into my custody.

GUILTY. Aged 45.—Transported for Ten Years.

1027. JOHN BULLOCK was indicted for embezzlement.

MR. CLARKSON *conducted the Prosecution.*

JAMES LANE. I am one of the firm of Rhodes, Beaver, and Lane. The prisoner was our clerk for three or four months—we had to receive money on account of a gentleman named Atkinson—there was a sum of 49*l.* 10*s.* 3*d.*, due to him from a tenant—the prisoner was to receive money on that occasion—I sent him for it on the 29th of January, to Duke-street, St. James's, to get it from Mr. Archer—he did not return—he was found at Ashford, in Kent—he ought to have returned that day.

Cross-examined by Mr. ROE. *Q.* Was he in the habit of collecting money for you? *A.* No.

GEORGE STEPHEN ARCHER. I am a surgeon in Duke-street, St. James's, and am a tenant of Mr. Atkinson. On the 29th of January I paid the prisoner 49*l.* 10*s.* 3*d.*—this is the receipt he gave me.

FREDERICK BALDWIN BEAVER. I am one of the partners of this firm. The prisoner never accounted to me for this sum.

CHARLES HENRY RHODES. I am one of the firm. The prisoner never accounted to me for this sum.

HENRY VILE. I am a constable. In consequence of information, I took the prisoner into custody on Sunday, the 8th of March, four miles from Ashford—I found two 5*l.* notes, five sovereigns, and a watch on him.

GUILTY. Aged 41.—*Recommended to mercy.*—Confined Twelve Months.

1028. DANIEL HAYES was indicted for stealing, on the 15th of March, one watch, value 40*s.*; one seal, value 25*s.*; one key, value 8*s.*; and one ribbon, value 3*d.*; the goods of George Duffy.

GEORGE DUFFY. I am a sailor. I have been acquainted with Caroline Tully eight years, and was with her on the 13th of March—I first met her about six o'clock in the evening, we both had something to drink—I was not the worse for liquor—she sat down and went to sleep after I left her in Crown-court, Wapping—she asked me to give her my watch to take care of, and I did so—I came back to Crown-court, she was there, and asked me to go and see if her father was come home—I went, and could see no light—I came down the court again and found her and two policemen—I said, "*Carry*, give me the watch, I think I am more able to take care of it than you"—the prisoner was one of the policemen—I asked Tully where the watch was, she said she did not know—the other policeman asked the prisoner if he knew any thing about the watch, he said no, he had not

seen it—we went to look for it about an hour and a quarter, and could not find it—we came back and I lifted Tully up and overhauled her, and she had not got it; when we got to the London Docks the prisoner gave me the watch and said it was no use to go farther,—the other policeman said he did not allow any such work, and took the watch and the prisoner.

Cross-examined by MR. PHILLIPS. *Q.* Did not the prisoner say he picked it up in Hermitage-street? *A.* Yes— I was neither drunk nor sober—I believe Tully was bad enough.

CAROLINE TULLY. I am single—I am a servant, but out of a situation —I was with Duffy that day, but was intoxicated, and remember nothing about the watch or the policemen.

CORNELIUS FOAY (*police-constable H* 98.) I was on duty on the night in question. About half-past eleven o'clock the prisoner came and told me there was a female lying down in Crown-court—I went with him, and I assisted in getting her up—at that time Duffy came up and asked her for the watch—she said she did not know any thing about it—Duffy said he had left her not more than ten minutes—I said it must be near about, and asked the prisoner if he had seen it—he said no—we looked about for it for an hour and a quarter—when Tully recovered, she said the prisoner took it out of her bosom—when we were going on the prisoner said, "It is no use going to the station-house, I have got the watch;" he gave it up, and said he picked it up in Hermitage-street—I took him to the station-house.

Cross-examined. *Q.* Was that all he said? *A.* Yes—he said afterwards that he intended to give it in next morning, thinking there would be a reward for it.

ROBERT TAYLOR (*police-constable H* 19.) The prisoner was brought in by Foay, he said that he had seen the girl in the court, and in coming down by the London Docks he said it was no use going further, he had the watch, and was going to give it to Duffy, and Foay took it, and there might have been a reward offered in the morning, and he should have got it.

Cross-examined. *Q.* This man had been but a short time in the police? *A.* Yes—I never heard any other charge against him.

GUILTY. Aged 28.—Transported for Seven Years.

1029. RICHARD PARSONS was indicted for stealing, on the 10th of March, 2 wooden casks, value 13*s.*, the goods of William Bollen.

WILLIAM BOLLEN. I am a cooper—the prisoner was my porter. On the 20th of March I had been confined to my room a week—he came to me, and said there were three casks to be sold in Union-street, one was a port hogshead, another a sherry hogshead, and the other a brandy quarter —I gave him a sovereign and a shilling to pay for them, and told him to bring me a bill—he came back in an hour and a half, and brought me this bill, which excited some suspicion—I said, "Who made out this bill?"—he said, "The man where I bought the casks"—I said, "Very well, go and get your dinner"—I sent my wife to the house to inquire—I went to my gateway, and under the gateway saw these three casks standing, and I knew I had had two of them in my warehouse three weeks before—one was a sherry hogshead, and one a brandy quarter, and one a port hogshead—when my wife returned I got an officer, called the prisoner, and said to him, "Go get these casks from the gateway"—when he

got them up I said, "Are these the three you got from the gin-shop in Union-street?"—he said, "Yes, they are"—I said, "You know this brandy quarter and the other you brought from Mr. Thornton"—he denied it—I said, "You know you have"—he then confessed that he had taken them to the gin-shop, and asked the landlord to make out the bill of the three, but he said, "No, I won't, I will make a bill of my own cask; you ought to have a bill of the other two from where you bought them"—these casks had been moved from where they had been in my cellar—(*bill read*)—"Bought of Mr. Gardner, one sherry hogshead, 7*s.* 6*d.*; one port hogshead, 7*s.* 6*d.*; one brandy quarter, 6*s.*—Settled."

HENRY GLASS. I am servant to Mr. Stevens, who keeps a wine-vault in Union-street. The prisoner came to our house on the 20th of March, looked at a cask, and said he would have it weighed, and asked me to make him a bill and a receipt for that and the other two—I said I would not, and then he took that away and the other two which were in the truck.

GUILTY. Aged 22.—*Recommended to mercy by the Prosecutor.*—Confined Three Months.

OLD COURT.—*Tuesday, April 7th,* 1840.

Second Jury, before Mr. Recorder.

1030. ELIZABETH KNIGHT and SARAH KNIGHT were indicted for stealing, on the 13th of March, 28lbs. weight of coals, value 1*s.*, and 1 flat iron, value 6*d.*; the goods of Sarah Ann Phillips, the mistress of the said Elizabeth Knight.

JAMES DAVIES (*police-constable F* 112.) On the 13th of March I watched the house of Mrs. Phillips, Southampton-buildings, Chancery-lane, between seven and eight o'clock in the morning, and saw the prisoner Sarah Knight come out of the house with a basket, she came towards me—I stopped her, and asked what she had got—she told me coals which she had been buying—I looked into the basket, and saw a flat iron, and asked where she got that—she said she had borrowed it—I took her back to Mrs. Phillips, and she ran up stairs to Mrs. Phillips, who was in bed at the time—she came down, and then I saw Sarah in the passage with Mrs. Phillips, when they were all three together the prisoners implored forgiveness—Elizabeth asked Mrs. Phillips to look over it, as it was the first offence—Sarah also said, "It is the first time we have done any thing"—I am quite sure they both begged forgiveness.

Elizabeth Knight. My sister-in-law did not come that morning to steal coals, she came to borrow a flat-iron; I told her I would lend her one, if she brought it home in a quarter of an hour, as mistress would use it. She had a basket, and I asked what she was going to do with it; she said to buy coals; and I told her she could take a few.

SARAH ANN PHILLIPS. I am a widow, and live at No. 6, Southampton-buildings. The prisoner, Elizabeth Knight, was my servant—Sarah occasionally washed for me, but not recently. On Friday morning, the 13th of March, Sarah ran into my bed-room, and said she had been borrowing a few coals of *Betsy*, and the policeman had stopped her—she said she had borrowed an iron also, and implored my forgiveness—I told her she had been robbing me for a considerable time, and she must now take the consequences—I followed her into the passage, found the policeman there,

and saw a basket containing coals and a flat-iron—Elizabeth was going down the stairs—I told her she was a very bad girl, and had been accessary to my being robbed for some time—she put her hands together, and implored forgiveness—I have no idea they intended to steal the iron—Sarah had no business at my house that morning.

Elizabeth Knight. I went to borrow an iron, and not to steal coals; my sister was not up; I lit the kitchen fire, and cleaned a pair of boots; and about eight o'clock she got up. I used to go formerly to clean the boots of a morning. *Witness.* Elizabeth had lived with me about seven or eight months; she was recommended by a relation who knew her.

(Sarah Knight received a good character.)

ELIZABETH KNIGHT—GUILTY. Aged 30.

SARAH KNIGHT—GUILTY. Aged 40.

Recommended to mercy.—Confined Fourteen Days.

1031. JEREMIAH MURPHY was indicted for stealing, on the 6th of March, 1 handkerchief, value 3*s*., the goods of John Edgecombe Daniel, from his person; and that he had been before convicted of felony.

JOHN EDGECOMBE DANIEL. I live at Norwood, in Surrey. On the afternoon of the 6th of March I was in St. James's-park, between three and four o'clock, standing near St. James's-palace, to see the Queen pass—I heard a disturbance behind me, and a question asked, who had lost a handkerchief—I put my hand into my pocket, missed mine, and saw it in the hands of the policeman.

Cross-examined by MR. PHILLIPS. *Q.* Were there many people about? *A.* A considerable number, it was the day the Queen was going to the levee—I cannot say who asked if I had lost a handkerchief—it was somebody close behind me.

WILLIAM PARNELL (*police-constable M* 128,) On the 6th of March I was in St. James's-park, about four o'clock, and saw the prisoner take this handkerchief out af Mr. Daniel's pocket, and *shove* it up his jacket—I took him into custody, and took it from him—another constable, who was with me, went and asked the gentleman if he had lost his handkerchief—on going to the station-house the prisoner broke from me, but I took him again a short distance off—he directly struck me in the face—this is the handkerchief.

Cross-examined. *Q.* Did you make inquiry to whom the handkerchief belonged? *A.* No—I was close behind the prisoner, and nearer to the prosecutor than I am to you—I told my brother officer to go and tell the gentleman he had lost his handkerchief.

(*Property produced and sworn to.*)

RICHARD COLLER (*police-constable B* 116.) I produce a certificate of the prisoner's conviction, which I got from the Clerk of the Peace's Office for Westminster—I was present at the Westminster Sessions when the prisoner was tried, and I know him to be the person mentioned in the certificate—(*read.*)

GUILTY. Aged 17.—Confined Six Months.

1032. JOSEPH GOSLING was indicted for stealing, on the 23rd of March, 1 box, value 2*d*.; ½lb. weight of cigars, value 6*s*.; and 24 pencils, value 1*s*.; the goods of Richard Oldrey.

RICHARD OLDREY. I am a gardener, and live in the Bayswater-road—my wife keeps a tobacconist's shop. On Monday, March 23rd, about seven

o'clock in the evening, Osborne called me, and I missed some cigars, and builders' pencils—she brought the cigars back to my shop—I gave them to the officer.

REBECCA OSBORNE. On the evening of the 23rd of March I was at Wellington-terrace, Bayswater-road, and saw the prisoner in the prosecutor's passage, leaning over the wicket-gate—he put his hand into the shop window, drew out a box of cigars, and he made another motion with his hand, but I could not see what he took then—he came out of the passage with the box—I followed him to Camden-place—when I came near him he put the box under his coat—I told him to bring the box of cigars back—he said nothing at first—I asked him again, and then he drew them from under his coat, brought them back a distance, and offered them to me—I refused to take them—he came a short distance further, and then said, "Well, here they are, if you like to take them," and threw them on the ground—I took them back to the shop.

WILLIAM OSBORNE (*police-constable T* 61.) I am the husband of last witness—in consequence of the description she gave me I apprehended the prisoner, on the 28th, at Kensington—he denied the robbery—I took him to the station-house, and fetched my wife to identify him, which she did, and after being before a Magistrate, he owned to stealing the cigars and pencils—he said he had thrown the pencils over a high wall near the shop, but I could not find them—Oldrey delivered the box to me.

Prisoner. It is my first offence—I will never do so any more, if you forgive me this time—I should not have put down the property, only Mrs. Osborne said, "I wish I could see a policeman."

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Three Months.

1033. FREDERICK REES was indicted for stealing, on the 7th of March, 2 pairs of trowsers, value 17*s.*; 2 waistcoats, value 15*s.*; 1 handkerchief, value 2*s.* 6*d.*; 1 breast-pin, value 2*s.* 6*d.*; and 3 printed books, value 3*s.*; the goods of John Cordy Crouch, his master.

JOHN CORDY CROUCH. I am a pawnbroker, and live in Grafton-street. The prisoner came into my service last August. On the 7th of March I called him up, in consequence of information, and said, "You are aware the accounts have been short a long time, and we have had a great deal of trouble with it; I am fearful you are the cause of it all"—he said, "I am not"—I said, "Well, you know something of an apron and handkerchief pawned for 2*s.*"—he said, "I do"—I said, "What do you know of it!"—he said, "I took it from the warehouse"—I called the foreman to bring up his box, which was produced—I said, "Be kind enough to hand over the rest of the things you have taken from me, and lay your own things on one side"—he then produced a pair of trowsers, two candlesticks, a breast-pin, and handkerchief, and afterwards some books—we found a duplicate on him for three books pawned with us—there was a ticket attached to the trowsers, and the ticket of the waistcoat was in his box.

Cross-examined by MR. PHILLIPS. *Q.* Are you sure he admitted taking the things? *A.* Decidedly he did, and produced them.

JOHN TRAIL. I am foreman to Mr. Crouch. I noticed a pair of trowsers, belonging to the prisoner, in the kitchen, on the 7th of March, and found in the pocket of them the duplicate of a handkerchief in pawn—I told Mr. Crouch, and by his directions fetched up the prisoner's box—I

asked the prisoner what he had taken besides the pin—he said the trowsers and waistcoat—I afterwards saw two pairs of trowsers, two waistcoats, a handkerchief, and pin, taken from his box—the value of the articles is about 2*l.*

JEFFREY MAHONEY (*police-constable B* 63.) I have the property which Mr. Crouch delivered to me—I found two duplicates on the prisoner, one was for some books.

WILLIAM LEONARD. I live in Mary-court, St. Pancras. I pawned three books at the prosecutor's some time ago—I have the duplicate here—I cannot swear these are the books.

MR. CROUCH *re-examined*. This is the counterpart of the duplicate of the books.

(The prisoner received a good character.)

GUILTY. Aged 16.—*Recommended to mercy.*—Confined Three Months.

1034. MARY SMITH was indicted for stealing, on the 12th of February, 1 pair of shoes, value 2*s.*, the goods of Esther Kitchenham; and 1 gown, value 8*s.*; 2 petticoats, value 5*s.*; 1 night-gown, value 1*s.*; 1 cap, value 6*d.*; and 1 pair of stockings, value 6*d.*; the goods of George Matthew Stirling.

JANE STIRLING. I am the wife of George Matthew Stirling, a sailor, and live in Bear-court, Lambeth-street. On the 8th or 9th of February I allowed the prisoner to sleep at our house, and on the morning of the 11th she left without telling me she was going—I missed a frock, two petticoats, a night-gown, a cap, a pair of shoes and stockings, worth 15*s.*—Esther Kitchenham also missed a pair of shoes—I saw the prisoner in custody on the 9th of March, and asked her what she had done with my things—she said, "Nothing"—I said if she did not tell me I should give her in charge—she said, "Do, give me in charge, there is a policeman"—I gave her in charge—I have not found any of the articles—she told the Magistrate she had sold the things—she was in distress, I know, or she would not have done it.

RICHARD THOMPSON (*police-constable H* 69.) The prisoner was given into my custody, on the 9th of March, for stealing these things—she denied all knowledge of it—this is Mr. Hardwick's hand-writing—(*looking at the depositions*)—*read*—"The prisoner, on being asked if she wished to say any thing, said, 'I did take the things, and sold them in Petticoat-lane: I did it through distress.'"

GUILTY. Aged 17.—*Recommended to mercy.*—Judgment Respited.

1035. THOMAS STUBBS was indicted for stealing, on the 25th of March, 229 yards of cloth called gambroon, value 26*l.* 5*s.*; and 8 yards of canvass, value 2*s.*; the goods of William John Hall and another; and that he had been before convicted of felony.

HENRY EVANS. I am in the employ of William John Hall and another, wharfingers, at the Custom-house Quay, Thames-street. On the 25th of March, between three and four o'clock, I was in Fore-street with a wagon—I went to a house at the corner of Whitecross-street, and inquired for Mr. Piggott, and was directed two doors round the corner—as I came from the house I saw the prisoner with his feet on the box of the wheel of the wagon, and his hands on the wagon—he had a hook in his hand, which he struck into a bale of goods, and pulled it off the wagon—the bale, being

heavy, overpowered him, it fell on the ground, and I instantly ran up to him, and asked what he was going to do with the bale—he said, "What bale?"—I pointed to the bale by his side—he instantly *up* with his fist, struck me in the face, and ran away—I caught him at the corner of Jewin-street—we struggled together, and both fell on the ground—I held him till assistance came, and took him to the station-house.

Cross-examined by MR. PAYNE. *Q.* Where were you at the time you saw him on the wheel putting the hook into the bale? *A.* Opposite the door at the corner of Whitecross-street—the wagon was nearly opposite the station-house door in Fore-street—I was in Fore-street at the corner of Whitecross-street, I did not go down the street, as I saw the prisoner on the wheel—I went afterwards and found Mr. Piggott two doors round the corner—I did not go up White-cross-street till after this happened—I might be fifty yards from the wagon when I saw this—I was on the right hand side of the wagon—the man got on the wheel on the left side—I could see him although on the other side of the way, because the pavement slopes inwardly there—the horses' heads were towards White-cross-street—I was going towards Cripplegate—I saw the prisoner on the off wheel in the centre of the road—the wagon was not between me and him—nothing further passed between me and the prisoner—he did not say he would help me up with the bale—he asked me what bale—I did not call him a liar—he did not strike me in consequence of that.

HENRY SYMONDS. I am a carpenter and live in Red-cross-street. On the 25th of March, I was standing at my shop door, and saw the prisoner follow the wagon on the off side, and after it turned round by Cripplegate church, he put his foot on the wheel, laid hold of the raft of the wagon, pulled himself up on the wheel, and pulled the bale off, it fell off, and I saw him put the hook in his pocket—he stood alongside the bale, the carman went up and spoke to him, he struck him in the mouth, and ran away, but he caught him by my shop-door.

Cross-examined. *Q.* Where is your shop? *A.* It joins the church—the wagon stopped nearly opposite the station-house door, just beyond it, not thirty feet from Whitecross-street—the wagon was on the left-hand side going down Fore-street.

JOHN STAINES (*City police-constable, No.* 399.) I took charge of the prisoner, searched him, and found this hook in his right-hand jacket pocket.

Cross-examined. *Q.* Did you ask where he got the hook? *A.* No, he did not say how he came by it.

JOHN SILVERLOCK. I an clerk to Wm. John Hall and his partner. This bale was put into the wagon to be delivered to them from Hull—it came by the steam-packet from Leeds.

Cross-examined. *Q.* Did the wagon belong to Hall and Co.? *A.* Yes, I did not see the goods put in there—Evans was in our employ—there are only two partners.

EDWARD KETLEY. I was with the wagon—I had just turned the wagon round in Fore-street, and saw the bale go over the side of the wagon—I looked underneath, and saw the prisoner's leg fall from the wheel—Evans went up and asked what he did with the bale—he struck him instantly and made his escape—Evans ran after him and stopped him.

Cross-examined. *Q.* Did you come round the wagon immediately? *A.* I went round in front of my horses—I have three horses—I did not

get up to the prisoner—I saw his legs under the wagon—I saw him strike Evans and run away—I was about seven yards from him—there were four or five marks on the box of the wheel, where he had worked his feet as it went round.

RICHARD BADDELEY. I am warehouseman to Sturt and Sharp, wholesale linen-drapers in Wood-street—I have the invoice of the goods in the bale—I examined the marks on the bale, they correspond with the invoice—the goods had been ordered by our house—the value is £26. 5*s*. 11*d*.—and the canvas 2*s*., it is gambroon.

JOHN ANDERSON. I am clerk of Giltspur-street prison. I produce a certificate of the prisoner's former conviction from Mr. Clark's office—I know the prisoner—I was present when he was tried—he is the person mentioned in the certificate—(*read*)—he was tried in December, 1838, and had six months' imprisonment.

GUILTY. Aged 37.—Transported for Ten Years.

1036. RICHARD RYAN was indicted for feloniously breaking and entering the shop of Samuel Lands, on the 27th of March, and stealing therein 24 pairs of boots, value 17*l*.; and 9 pairs of shoes, value 3*l*; his goods.

SAMUEL LANDS. I am a boot-maker, and live in Fore-street. On the night of the 27th of March I came home about a quarter before eleven o'clock and found two men in my shop packing up my goods—the door was locked against me—I had left it locked about half-past nine o'clock—the lock had been picked apparently—I lost a good many boots and shoes—there were four parcels ready packed up in the shop—on my opening the door one man came out on me, and the other bounced out against my wife and knocked her down—the prisoner is one who came out—I pursued and took him without losing sight of him—the value of the property is 18*l*. or 20*l*.—the door was left on the catch lock, and as soon as I put my key in it opened—I am quite certain I left it locked.

Prisoner. He said at the station-house it was so momentary he could not swear to the man who came out. *Witness*. I am quite certain of him—I never lost sight of him.

SAMUEL MALINGS (*City policeman, No.* 457.) I heard the cry of "Stop thief" on the 27th of March, and saw the prisoner running across Fore-street into Milton-street, about ten yards from Mr. Land's shop—I followed him and saw him put his hand in his right hand pocket, about fifty yards up Milton-street, and throw away something which jingled—I afterwards received from a boy, named Fry, in the street, a bunch of pick-lock keys—I saw the prisoner secured.

Prisoner. At the station-house the Inspector asked what he knew about it, and he said, "Nothing"—afterwards a boy brought in some keys and then he came back with the prosecutor and said he saw me heave something away, and at the office he said he heard something jingle. *Witness*. I had not been in the station-house until I brought the keys in myself.

GEORGE FRY. I live in Angel-court, Milton-street—I heard the cry of "Stop thief" and saw the prisoner running up the street—directly he was stopped something struck my leg, and on stooping down I found it was a bunch of keys—I was about eight yards from him—I gave them to the policeman—these are them.

THOMAS WHITEHOUSE. I am assistant to Mr. Potter, of Red Cross-street. I saw the prisoner turning into Milton-street—I crossed over to the right-hand side and endeavoured to stop him—my foot slipped, I fell, and believe he fell on me.

GEORGE CATCHPOOL (*City policeman, No.* 452.) I took charge of the prisoner—as I was scuffling with him I saw him put his hand into his pocket and throw something from him, but I did not see what it was—I was about three doors from the prosecutor's shop when the two men came out—I am sure he is one of the two.

Prisoner. He knows he held my hands, and how could I take any thing from my pocket? *Witness.* Police-constable Grey, No. 150, told me to hold his hands—at the station-house I found a box of lucifers on him.

(*Property produced and sworn to.*)

Prisoner's Defence. I had been in Thames-street, and coming up Little Moorfields I heard a cry of "Stop thief"—somebody said, "That must be him"—the policeman then caught hold of me, and then another caught hold of me, and took me to the station-house; in about five minutes a boy brought in some keys, and a man with him; then the policeman was told by the Inspector to go and see if the lock was picked; he returned and said one of the keys would fit the door, but before that the policeman said he knew nothing about it, afterwards he said he saw me come out of the shop, which is false. I understand there are large locks on the doors, and it is not likely such small keys would open the locks. I was never in prison before in my life.

GUILTY. Aged 18.—Transported for Ten Years.

1037. GEORGE MORRIS was indicted for stealing, on the 10th of March, 1 pair of half-boots, value 2*s.*, the goods of Henry Short, his master.

HENRY SHORT. I live at Bethnal-green-road. The prisoner was in my service for eight or ten months as errand boy—on the 10th of March he went out to dinner and did not return—he should have been absent an hour—in consequence of information from Jackson I sent my brother out with a policeman, who afterwards produced a pair of child's boots which were mine, and had not been sold.

GEORGE JACKSON. I keep a shoe shop at No. 111, Church-street, Bethnal-green. On the afternoon of the 10th of March the prisoner brought me a pair of child's boots for sale for 1*s.*—I told him I believed them to have been stolen—he said he would fetch his father, and he ran away directly—I kept them and delivered them to the policeman.

LEWIS SHORT. I am the brother of Henry Short—I went in pursuit and found the prisoner in Bethnal-green-road with his mother and brother—I told him he had been taking some shoes from the shop—he cried, and said he was sorry.

ROBERT M'GOVERN (*police-constable H* 66.) I was on duty at Spital-fields station-house and locked the prisoner up—I produce a pair of boots which I received from a sergeant on duty, they had been left there by another officer, who is not here.

GEORGE JACKSON *re-examined.* I believe these to be the boots he offered to me.

(*Property produced and sworn to.*)

GUILTY. Aged 16.—*Recommended to mercy.*—Confined One Month

1038. WILLIAM BRADSHAW was indicted for stealing, on the 12th of March, 1 chair, value 2*s.* 6*d.*, the goods of William Andrew Pilgrim.

WILLIAM ANDREW PILGRIM. I am a cabinet-maker, and live in Old-street, St. Luke's. On the 12th of March, in consequence of information from Mrs. Marks, I ran out into the street, and saw the prisoner in the middle of the road, carrying something, but what I could not see, as it was a foggy night—he gave it to two boys on the other side of the street, and ran down to the City-road—I followed him—he stopped just at the turning, took off his frock, and put it under his arm—I told him I wanted him—he asked what for—I said, "Never mind what for"—he instantly ran off—I followed, calling, "Stop him," and a policeman took him—I had him taken back to my house, and missed a chair—I gave him in charge, and as I came from the station-house a boy brought it back to the door, called out, "There is your chair," and ran away.

Prisoner. I said I did not know what he took me for—he said, "You took a chair of mine"—I had my smock-frock off because my braces were broken down.

SARAH MARKS. I keep a broker's shop. I saw the prisoner on the 12th of March, about a quarter after eight o'clock in the evening, and suspecting him, I watched him, I saw him take the chair from Pilgrim's door, and run across the road—I immediately went and told Mr. Pilgrim—I am sure he is the person who took it.

JOHN CLARK (*police-constable N* 15.) I was on duty in Old Street-road on the 12th of March, in the evening, and saw the prisoner running from the prosecutor—I stopped him—he was carrying his smock-frock under his arm—I have the chair here—he denied taking it.

NOT GUILTY.

1039. GEORGE FREDERICK LEFFIN was indicted for a misdemeanor.

(The prosecutor did not appear.) NOT GUILTY.

1040. WILLIAM DAVIS was indicted for stealing, on the 28th of February, 1 handkerchief, value 6*d.*, the goods of Gerard Ellis, from his person.

GERARD ELLIS. I am a carpenter, and live in Ebury-street, Pimlico. On the 28th of February, about a quarter after eleven o'clock, I was in a crowd in James-street, Covent-garden, as her Majesty was leaving the theatre—a person asked me for a light for his pipe, which I gave him, and then missed my handkerchief—it was not the prisoner.

ROBERT BURR (*police-constable D* 54.) I was on duty in James-street, in plain clothes, on the 28th of February, soon after eleven o'clock—I saw the prisoner with a man named Jones—I saw Jones put his hand into the prosecutor's pocket, take the handkerchief, and pass it to the prisoner, who made off with it—Jones has been convicted—I am sure he handed the handkerchief to the prisoner, who saw him take it—he was standing behind him, covering him.

JAMES WESTMORELAND (*police-constable F* 147.) I was on duty on this night, and saw the prisoner in company with Jones—I desired them both to leave my beat, or I should take them into custody, and they went away—I saw Jones in custody next day, and on the Friday following I apprehended the prisoner in Newport-street—he asked what I wanted him for—

I told him—he said he should not go—I was obliged to get the assistance of another constable.

Prisoner. The next morning the constable pointed me out to the other officer, and said, "That is him, don't you know him?" and turned his head and laughed. *Witness.* I did not.

ROBERT BURR *re-examined.* He was not pointed out to me—I saw him among several more, and knew him directly—I did not know him before that night, but I saw them move several gentlemen's pockets before they stood behind the prosecutor.

(*The prisoner declared his innocence, and stated he was passing down Long Acre, going to his brother-in-law's, when the officer took him; that the officer had repeatedly asked him for drink, and upon his refusing, said he would mark him.*)

JAMES WESTMORELAND *re-examined.* I never asked him for drink, and never spoke to him, except to ask him to leave my beat when he has been on it—I knew him before—I have had him in custody for picking pockets, and he has been tried here before. NOT GUILTY.

1041. GEORGE SMITH was indicted for stealing, on the 7th of March, 2 smock-frocks, value 8*s.*, the goods of John Giles.

JOHN GILES. I am a clothes-dealer, and live in Shoreditch. On Saturday night, the 7th of March, about a quarter-past nine o'clock, I was called to the door by a neighbour, and missed two smock-frocks, which I had seen safe about a quarter of an hour before—these are them—(*looking at them*)—they have my private mark on them.

JAMES CODLING. I am shop-boy to Mr. Grove, a clothier, in Shoreditch, two doors from the prosecutor's. On the night of the 7th of March I was at my master's door, and saw the prisoner pass by Mr. Giles's, put his hand in at the door, and take these frocks, which were hanging up—he gathered them up, put them under his arm, and ran away.

Prisoner. *Q.* Are you sure it was me? *A.* Yes.

WILLIAM DEARMAN (*police-constable G* 162.) I saw the prisoner in Shoreditch on Saturday, the 7th of March, about twenty minutes past nine o'clock, with something concealed under his jacket—I caught hold of him, and asked what he had there—he made no reply—I took him to the station-house, and charged him on suspicion of stealing them—I found two smock-frocks and a piece of muslin on him—I could find no owner for the muslin.

Prisoner. I picked them up, wrapped up in the muslin—I saw no owner for them, and went along—he came up and stopped me. *Witness.* He was about a dozen yards from the prosecutor's shop when I stopped him—he had the muslin in his jacket-pocket.

Prisoner. I hope you will look over it; it is the first time.

GUILTY. Aged 18.—Transported for Seven Years.

1042. BENJAMIN HATCH, JAMES KERR, and WILLIAM BRISLEY, were indicted for stealing, on the 5th of March, 6 tar-barrels, value 9*s.*, the goods of Thomas Webster Harby and another.

WILLIAM ROGERS. I am apprentice to Messrs. Thomas Webster Harby and James Harby, rope-makers, in Bromley-lane. They have a great quantity of tar-barrels about their premises—I counted them at six o'clock on Wednesday afternoon—there were then thirty-two; and next morning, when the constable came, there were but twenty-six—I know the prisoners by seeing them about Poplar.

THOMAS HOLMES (*police-constable K* 12.) On Thursday, the 5th of March, at seven o'clock in the morning, I saw the three prisoners at the bottom of Grundy-street, Poplar, loading tar-barrels into a truck—they were about three or four hundred yards from the prosecutor's premises, across two gardens—Hatch and Kerr were about putting up the last barrel when I saw them—Brisley was holding the handle of the truck—I had two other constables with me—we watched them down Dock-wall, and, considering they were going to the premises of Mr. Turner, a purchaser of tar-barrels, at the Orchard-house, we went another way, through the East India Docks, and came upon them about thirty yards from Mr. Turner's premises—I took Hatch, and brought him to the station-house—I asked where he got the tar-barrels—he said he had bought them of a carman the night previous—I said, "Do you know the man?"—he said, "No"—I said, "Did you ever see him before?"—he said, "No"—I said, "Whereabouts did you see him?"—he said, "In the Commercial-road; I had been to town that afternoon, to deliver some coals in St. Mary-Axe, and I saw a wagon, in East India-road, as I was coming home, with tar-barrels in it; I asked the carman whether he would sell them; after some few words he said he would; I offered him 6*s*. for them; when I got opposite the George the Fourth public-house, Kerr came up; he paid his part, and we had the tar-barrels, and took them to this place where you saw us loading them, and there left them till the morning, when you saw us"—I took Hatch and Brisley's shoes off, and went to the place where I had seen them loading them, and, in the garden of a man named Barrett, found some slight traces where persons had been walking—I then went into Mrs. Douthie's garden, which joins the prosecutor's premises, and which had been recently dug up for the purpose of sowing seed—pieces of the fence were broken off, and all the way up the fence were foot-marks which corresponded with those shoes—Hatch's shoes are very remarkable, they have no heel, and flow over the side—one of Brisley's has no heel, and the other only a bit of one, which could be discerned in the foot-marks—the tracks went close up to the fence where the tar-barrels were taken from—this was on Thursday morning, the 5th—after tracing them up to the fence, I went into the prosecutor's premises, and saw the foreman and Rogers—Rogers afterwards saw the barrels at the stationhouse, and identified one which he had taken the mark of the night previous.

Hatch. *Q.* When I told you I had been shooting coals, did I say any body was with me? *A.* Yes, Brisley—you told me the carman had six barrels in his van.

Hatch. I told you he had thirty—he had been round gathering them, and we bought six—he said he came from a little below Barking, and we had some beer together at the George the Fourth public-house.

CHARLES HAGAR (*police-constable K* 271.) I was in East India-road on the 5th of March—I went with Holmes and Pope, looked into Grundy-street, and saw the prisoners loading the truck with some tar-barrels—they were in the act of putting the last of six up—I assisted in tracing the marks of the shoes—I took Kerr's shoes off, and found marks in Mrs. Douthie's garden, exactly corresponding with them—they were deep impressions—I went through the East India Dock to the Orchard-house, and there took Brisley into custody—he was at the hind part of the truck, pushing, but when I saw him before he had hold of the handle.

Hatch. *Q.* What brought you to the East India-road? *A.* I was on

duty there—I met you in Poplar about half an hour before, but I suspected something wrong, and went to this neighbourhood.

Hatch. He says in his deposition that he went to Grundy-street from information, that no one was with him, and that he was at the end of Crisp-street. *Witness.* That is so—I am the acting sergeant—I was going up Crisp-street—before I came to Grundy-street, I met Holmes, and was in his company when I saw them with the tar-barrels.

Brisley. He has known me two years. *Witness.* I never knew him in custody—he lived with a Mr. Trail, a wood-cutter, five or six months back.

WILLIAM ROGERS *re-examined.* I saw the six tar-barrels, they were such as my master had—one has a broad arrow and anchor upon it, and I know it by its having two pieces of the head to it—I had it in my hand the night before, and copied the mark on a bit of paper, and that mark corresponds with one of the six—I copied it, in consequence of my master having suspicion, for him to go to Mr. Turner's premises, to see if he could identify any that had been sold there—that was the only one I missed that had an anchor on it, and I know it by the two pieces of the head—the head had not been cut out clean, and these pieces were left on each side—I did not cut the head out myself, but I had the barrel in my hand the night previous, that I can swear.

Hatch. The anchor is a very common thing—these barrels are made at Stockholm, and each maker puts his mark on them, such as a rough anchor, or broad arrow—I have seen thousands like them, and all barrels have the heads knocked out.

THOMAS LIDDIARD. I am foreman to the prosecutor. Holmes came to me on the 5th of March, while I was at breakfast, and in consequence of what he said I looked, and missed some barrels—I missed one which I had taken the head off from the day before—we always break the heads out as clean as possible, not to waste any tar, but this head was so fast in that two little bits remained at each side, in consequence of which a little tar had drained off, and there was the mark of the tar—I went to the station-house, and saw six barrels in a truck, one of which was the one with the two little ragged bits, which I had taken particular notice of the night before, and when that barrel was turned out it happened to be the very one of which Rogers had taken the copy of the mark—I saw the officers compare the shoes—it was a soft loamy soil, very fine, and without any stones in it—there had been a slight frost over night, which made the ground crisp at the top, and the impressions of the shoes were almost as perfect as if they had been taken in wax—one shoe in particular, with only half a heel, I never saw a more perfect one—and there were the prints of the tar-barrel hoops, as they were rolled along the ground from our premises to the place where they were loaded—there was also some dirt at the place where they were thrown over the fence, and there was a sort of tressel close by the place, which would make it convenient to get them over—I have known Brisley fifteen months—he bore an honest character—he supplied me with coals.

Hatch. Q. Is it not usual for tar-barrels to have marks of such a description as this upon them? *A.* Undoubtedly it is, but there is not one in twenty that has a bit of the head in it.

SAMUEL POPE (*police-constable K* 240.) I was with the other officers, and saw the prisoners in Grundy-street, in the act of putting the last barrel

in the truck—I took them into custody, close to Mr. Turner's premises—he had hold of the handle of the truck—I asked him where he got the tar-barrels from, he said he found them in a ditch in Grundy-street, close by the George the Fourth public-house—that is close by the prosecutor's premises.

Kerr. I said I bought them. *Witness.* He did not.

Hatch's Defence. I and Brisley had been to St. Mary-axe, to help to deliver two tons of coals; we met this carman with the barrels; he said he had been buying them round town, and he would sell us half-a-dozen for 6*s.*; we met Kerr just before we bought them, and he had enough money to purchase them; it was about half-past eight o'clock at night. It is impossible to say my shoes were ever across those gardens at all. I was never across them in my life; I was in bed at the time this was done. The officers have made quite different statements in the deposition. I am innocent of taking them from Mr. Harby's premises; I do not think they belong to Mr. Harby at all. I am in the habit of buying tar-barrels. Two years ago I sold some to Mr. Turner. I get my living in the Docks, clearing out ships, and tarring them.

Kerr's Defence. The officers did just as they liked with our shoes. I have seen many persons in those gardens. We bought the barrels of the carman.

HATCH*** GUILTY. Aged 19.
KERR*** GUILTY. Aged 21. } Transported for Seven Years.
BRISLEY—GUILTY. Aged 21.—Confined Three Months.

NEW COURT.—*Tuesday, April 7th*, 1840.

Sixth Jury, before Mr. Common Sergeant.

1043. JAMES WYATT was indicted for embezzlement; to which he pleaded

GUILTY. Aged 18.—Confined One Year.

1044. JAMES JOHNSTONE was indicted for stealing, on the 7th of March, 1 cloak, value 4*l.*, the goods of Thomas Watkinson; to which he pleaded

GUILTY. Aged 35.—Confined Three Months.

1045. ROBERT ATKINS KEELING was indicted for stealing, on the 24th of December, 3 shirts, value 10*s.*, the goods of Richard Ansell: and on the 1st of February, 10 feet of veneers, value 5*s.*; and 6 wooden moulds, value 2*s.*; the goods of George Rivers, his master; to which he pleaded

GUILTY. Aged 42.—Confined Six Months.

1046. ANDREW BURN was indicted for stealing, on the 11th of March, 1 handkerchief, value 1*s.*, the goods of Edward Springbett, from his person.

EDWARD SPRINGBETT. I live in Great Union-street, Borough-road. At half-past seven o'clock, on the 11th of March, I was in St. John-street, opposite the Cross Keys inn, and felt a jerk at my pocket—I turned, and saw the prisoner crossing the road from me—I called to him—instead of turning round, he walked on faster, and he ran across to the stable—I saw him tucking a handkerchief under his coat—he then *dodged* me among the

cabs—the *cab*-men closed on him, and told him to run on—they stood between him and me—I followed, and took him in Smithfield—the handkerchief was not found—I had seen it safe six or seven seconds before—no one could have taken it but him—no one else was near me—as far as I could judge, the handkerchief I saw resembled mine in colour and appearance—I suppose he gave it to some of the *cab*-men.

Cross-examined by MR. PAYNE. *Q.* How far was the person you saw with the handkerchief from you? *A.* Four or five feet—it was all done in a minute—I did not make inquiries or look about among the *cab*-men—I mentioned about the *cab*-men at the station-house.

JURY. *Q.* Did you lose sight of him? *A.* No, not for a moment.

WILLIAM THURKETTLE (*City police-constable, No.* 143.) I took the prisoner, but found nothing on him.

GUILTY. Aged 17.—Confined Six Months.

1047. WILLIAM JONES was indicted for stealing, on the 5th of March, 26 yards of fringe, value 2*s.*; and 1 box, value 6*d.*; the goods of Richard Bye.

RICHARD BYE. I am a broker, living in Pierpoint-row, Islington. On the 5th of March, a little after seven o'clock in the evening, I missed this fringe and box, which I had seen safe at half-past six o'clock, on a side-board just inside the shop—this is it—(*looking at it.*)

WILLIAM CHARLES BARNES. I saw the prisoner lurking about the prosecutor's shop—he went in and took this fringe and box—he came out, and stopped to see if any one was looking, then went on to the Green, put the box down, took a portion of the fringe out, and put it into his pocket—I went to the station-house, and gave information—he was taken, with the fringe on him.

Prisoner's Defence. This box was lying on the ground—I went to see what it was, and found a parcel of old fringe—I was going to the station-house with it.

GUILTY. Aged 21.—Confined Six Months.

1048. WILLIAM WELSH was indicted for stealing, on the 10th of March, 1 handkerchief, value 1*s.*, the goods of Robert Paul, from his person.

ROBERT PAUL. I am master of the ship *Nucleus*, and live in Well-close-square. At a quarter to six o'clock in the evening of the 10th of March, I was walking in the Commercial-road, and felt a tug at my coat-tail pocket—I instantly turned round, and found the prisoner with my handkerchief in his hand—I caught hold of him, and he dropped it—I picked it up, called "Police," and held him till a policeman came—I had seen my handkerchief safe not above three minutes before.

Cross-examined by MR. PHILLIPS. *Q.* Are you sure you had not dropped it in place of putting it into your pocket? *A.* I am sure it was safe—he said he picked it off the ground—there would have been no tug at my pocket, which I am sure I felt, if I had dropped it.

GUILTY. Aged 22.—Confined Three Months.

1049. THOMAS MOTT was indicted for stealing, on the 23rd of March, 31 yards of silk, value 3*l.* 17*s.* 1*d.*, the goods of Jacob Edmonds and another, his masters.

EDMUND JAMES. I am foreman to Messrs. Remnant and Edmonds.

bookbinders, Lovell's-court, Paternoster-row. The prisoner was their porter. On the 23rd of March I saw him in the counting-house, about seven o'clock in the morning, where he had no business to be, till half-past eight o'clock—I watched him through the other counting-house window, and saw him go to a drawer and take out this silk, endeavouring to conceal it, by placing it under his waistcoat—I went in and asked what he was about—I pulled it away from him, and gave him in charge—this silk is the property of my employers—(*examining it*)

Cross-examined by MR. CLARKSON. *Q.* Is that all that passed? *A.* Not exactly—I told him I was very sorry that I had found him out, because I knew he had a family—I told him to go out of the counting-house, and never let me see him there any more—I went into the counting-house to him twice—the first time was about seven o'clock, or a little after—he had not then got the silk rolled up, to put under his waistcoat—I did not say any thing about silk then—I believe my observation was, "What are you doing here?" and told him to go out—he gave no answer whatever—he went out—I believe this silk was at that time in the drawer—I am not aware that it was rolled up on the counter—I then went into another counting-house to watch him—when he left the counting-house he was away for about half-an-hour—about half-past seven o'clock he came back to the counting-house—I watched him there for about half-an-hour, or not quite so long—he was walking about there, and sometimes behind the counter—he was not doing any thing there which caused my suspicion—when I went to him I asked him what he was going to do with that silk—he did not tell me that he was going to put it into the drawer that I am aware of—I will not swear that he did not say so—I do not recollect it—I know that he was in the police for some months.

COURT. *Q.* Did we understand you that you could not tell whether the silk was on the counter or not? *A.* I cannot—but I saw him take it out of the drawer.

MR. CLARKSON. *Q.* Did you not say you saw him putting it under his waistcoat, and you gave him into custody? *A.* There was an officer sent for—he was not in custody—when he went home to breakfast he was taken in Fleet-street—his lodging was searched, but nothing was found.

JACOB EDMONDS. This silk is the property of myself and my partner—it ought to have been in the drawer—the prisoner had no business there—he had been forbidden to be in the counting-house—we had lost a great deal of property, and stuck up notices that no porter was allowed to go in here till half-past eight o'clock in the morning.

EDMUND JAMES *re-examined.* I saw the prisoner take the silk from the drawer, and he was in the act of placing it under his waistcoat—a portion of it was under his waistcoat—I believe he said he hoped I would not say any thing—he was not coming out of the counting-house—he went towards the end of the counting-house.

(The prisoner received a good character.)

GUILTY. Aged 22.—*Recommended to mercy by the Jury and Prosecutor.*
—Confined Four Months.

1050. JOSEPH CLARKE was indicted for stealing, on the 6th of March, 1 pair of trowsers, value 5*s.*, the goods of Thomas Bousfield Gamson.

THOMAS ELLIS. I am in the employ of Thomas Bousfield Gamson, a

pawnbroker, in Manchester-buildings, Holloway. About five o'clock in the afternoon of the 6th of March I received information, and missed a pair of trowsers, which had been hanging just inside the door—I went out, and saw the prisoner throw them out of his apron, and a gentleman pick them up—I overtook the prisoner, and gave him in charge.

JAMES GIBSON. I am a baker, living at High-street, Pentonville. I saw the prisoner running in the fields, and Ellis after him, crying, "Stop thief"—I tried to stop him, and he shook something out of a cloth—I took it up, and it was these trowsers.

(The prisoner received a good character.)

GUILTY. Aged 19.—Confined Three Months.

1051. CHARLES GRANT was indicted for stealing, on the 7th of March, 28lbs. weight of beef, value 16*s.*, the goods of James Hince.

JOSEPH HINCE. I am in the service of James Hince, a butcher, in Goodge-street, Tottenham Court-road. I had 28lbs. weight of beef on the 7th of March, which I saw safe about eight o'clock in the morning—I afterwards saw it at the station-house—it was my master's.

JOHN WALTER (*police-constable E* 110.) At half-past eight o'clock that morning I saw the prisoner cross Tottenham Court-road from Goodge-street—I followed him, and heard the man who was with him tell him the constable was coming—the prisoner then dropped the beef and the basket, and they both ran away—I took the prisoner, and the basket, the beef was shown to Hince, who identified it in the prisoner's presence.

Prisoner's Defence. I met a man at the corner of Goodge-street, who asked me to carry the beef for him—I crossed—he turned, and ran away, leaving me with it.

GUILTY. Aged 18.—Confined Six Weeks.

1152. JOHN THOMSON was indicted for stealing, on the 7th of March, 1 basket, value 1*s.* 6*d.*; 1 yard of canvas, value 6*d.*; 8 towels, value 8*s.*; 3 table-cloths, value 3*s.*; 1 shift, value 1*s.*; 4 shirts, value 6*s.*; 1 gown, value 4*s.*; 1 curtain, value 6*d.*; 1 sheet, value 2*s.*; 1 pair of drawers, value 1*s.* 6*d.*; 8 aprons, value 2*s.*; 3 pillow-cases, value 1*s.* 6*d.*; 1 handkerchief, value 1*s.* 6*d.*; and 8 collars, value 3*s.*; the goods of Edward Gray: and that he had been before convicted of felony.

SARAH GRAY. I am the wife of Edward Gray, and am a laundress, living in James-street, Lower-road, Islington. I was taking some clean linen home in my cart with my lad, at half-past nine o'clock on the 7th of March—I was going to stop at Bucklersbury, to leave a basket—I felt the cart give a sudden sway—I turned, and there were two men with my basket—I cannot say who they were—they dropped it—one ran round the Poultry, and the other round Bucklersbury—this is the basket—(*Looking at it*)—it contained the things stated—I picked it up immediately.

JOHN BARKER. I am errand-boy to Mrs. Gray. About half-past nine o'clock this evening, I was driving the cart—I got as far as the Poultry and saw the prisoner and another lifting the basket out of the cart—I am sure the prisoner was one of the men—he had breeches and gaiters on—I did not see his face—I followed him—he stopped at Grocers'-hall—I said "If I see a policeman I will give you in charge"—he hit me on my nose, ran up against a post, and hit his head, and then when he came back he knocked me down again—I pursued him—he ran up the Mansion-house—I saw a policeman, and gave him in charge—I did not lose sight of him all the way.

Prisoner. *Q.* Did you see the man at the cart? *A.* Yes—I was struck twice—once you knocked me down, and once you hit me on the nose—you turned some corners after you went from the Poultry—you were about three yards from me—I never said that I lost sight of you.

THOMAS DEVERELL (*City police-constable, No.* 334.) I was coming up Sherborne-lane—I heard the cry of "Stop thief," and the spring of a rattle, and caught the prisoner in Ball-alley—I saw Barker pursuing him.

JOHN JAMEES REEVS (*City police-constable, No.* 245.) I was on duty at half-past nine o'clock, I received information, and went after the prisoner, and overtook him—when he was stopped by Deverell, he had knee breeches and gaiters on.

Prisoner. *Q.* When the lad came to you how far was the man from him? *A.* I should think about twenty-five yards—you were the man he pointed out—you had on a black apron—your back was towards me, but you turned round and saw me—I lost sight of you when you turned by the Mansion-house, but I can swear to you—if I had not sprung my rattle I should have lost you.

Prisoner's Defence. I went down this street, and heard the cry of "Stop thief," and saw a man run past me; I lost sight of him, and the policeman took me; Reeves came up and said I was the man the boy ran after.

JAMES HARKER. I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 29.—Transported for Fourteen Years.

1053. GEORGE PEREGRINE PHILLIPS was indicted for stealing, on the 8th of March, 1 ring, value 3*s.*; 1 half-crown, 2 shillings, and 2 sixpences; the property of James Hodges.

JAMES HODGES. I am an inmate of the workhouse, in Cleaveland-street, Fitzroy-square. The prisoner slept in the next bed to me, on Saturday the 7th of March—I had a little bag, with one shilling, a half-crown, two sixpences, and a gold ring wrapped in a piece of white paper—I left them in my trowsers' pocket by the side of my bed, when I went to bed—on the Monday morning I missed it—the prisoner was dressing himself—I said to the man in the next bed, "My bag is gone," and the prisoner went down stairs—the half-crown was discoloured from some sulphur—this is it—(*looking at one.*)

JAMES DURHAM. I am an inmate of this workhouse. About six o'clock on Sunday morning the 8th of March, I saw the prisoner groping, and handling the prosecutor's clothes at the head of the bed—I took particular notice—there were some low characters in the house, and I was afraid to mention it till he mentioned it to me.

DENNIS LEARY. I am an inmate of the house. On the 12th of March, I sold the prisoner two pennyworth of tobacco—he gave me a black shilling in payment.

THOMAS ATTRELL. I am a constable. On the 13th of March, I took the prisoner and said he was my prisoner for robbing Hodges,—I asked him if he had any money—he said, "Yes, half-a-crown"—I found on him a half-crown and a gold ring wrapped up in a piece of paper—I asked how he got them—he said, he found the half-crown, but said nothing about the ring.

Prisoner's Defence. On Thursday morning I picked up a bit of paper, it turned out to be this ring and half-crown.

GUILTY. Aged 33.—Confined Four Months.

1054. GEORGE ALEXANDER was indicted for stealing, on the 13th of March, 3 feet of iron chain, value 1*s.* 6*d.*; 2 staples, value 1*s.*; 5 hooks, value 1*s.*; 8 bolts and nuts, value 1*s.*; 2 iron copses, value 1*s.*; 2 harrow-tires, value 6*d.*; and 16 lbs. weight of iron, value 6*d.*; the goods of Joseph Nicholls and another.

JOSEPH NICHOLLS. I am in partnership with George Nicholls, a farmer, at Whitton, near Hounslow. This chain and other things were safe in the rick-yard near the house on the 12th of March, and the next morning they were gone—these are them—(*looking at them*).

RICHARD HAYLOCK. I am servant to the prosecutor. I took this iron-work off his plough and harrow, and left them safe on the Thursday night, and at six o'clock on Friday morning they were gone.

HENRY REDDY, I am accountant to Mr. Boughton a veterinary surgeon. The prisoner and another boy came to our shop on the Friday or Saturday morning, with this iron in a bag or cloth—they asked me to buy it, which I did.

Prisoner. You bought it of the other boy, not me. *Witness.* You were with him.

GUILTY.** Aged 16.—Transported for Seven Years.

1055. WILLIAM HORWELL was indicted for embezzlement; to which he pleaded

GUILTY. Aged 20.—Confined Six Months.

1056. JOHN BIRD was indicted for stealing, on the 2nd of April, 1 coat, value 2*l.* the goods of John Robert Reay: and that he had been before convicted of felony.

JOHN ROBERT REAY. I am a wine-merchant, living in Mark-lane. This is my coat—it was safe on Thursday morning, the 2nd of April.

Cross-examined by MR. PAYNE. *Q.* Did you lose a pair of trowsers at the same time? *A.* Yes; which have not been found.

WILLIAM HILL. I am porter to Mr. Reay. About half-past seven o'clock that morning I had the coat and trowsers to brush—I saw the prisoner coming out of the warehouse door with the coat under his arm—I asked him his business, and he threw the coat down—I caught him—this is the coat, it was placed inside the office door.

Cross-examined. *Q.* Is the office inside the door of the warehouse? *A.* Yes. I was coming out of the cellar, which is close by the warehouse—I was not a yard from him—I had a candle in my hand—I knew the coat directly—he walked away—I took up the coat and followed, and overtook him in Fenchurch-street—I have no doubt that he is the man.

JOHN SCOTT. I produce a certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—the prisoner is the person.

William Hurst, a weaver, of Manchester-street, Bethnal-green, gave the prisoner a good character.

GUILTY. Aged 19.—Transported for Seven Years.

1057. JOHN PERRING was indicted for stealing, on the 21st of February, 2 plane-irons, value 1*s.* 6*d.*, the goods of John Perring.

JOHN PERRING. I am a glass-cutter, and live in Gray's Inn-lane. I lost some plane irons on the 21st of February—I did not give them to the prisoner—I have not found them—I have not looked after them—I did

not speak to the prisoner about these tools—I did not find it out till he was in prison—he is my grandson.

JOHN ARMSTRONG (*City police-constable, No.* 204.) I saw Sir John Cowan write this deposition, it was read to the prisoner, he signed it, and he confessed to me that he had taken these plane-irons, and sold them in the New-cut for 1*d.* NOT GUILTY.

1058. HENRY HOPE was indicted for stealing, on the 23rd of March, 1 boot, value 10*s.*, the goods of Walter Mills; to which he pleaded GUILTY.** Aged 18.—Transported for Seven Years.

1059. WILLIAM PASSALL was indicted for stealing, on the 27th of December, 1 coat, value 16*s.*, the goods of William Fuller; to which he pleaded GUILTY. Aged 18.—Confined Three Months.

1060. JOHN JOHNSON was indicted for stealing, on the 12th of March, 1 handkerchief, value 2*s.*, the property of Robert Carter, from his person.

ROBERT CARTER. I live in Red Lion-street, Holborn. About eleven o'clock in the evening of the 12th of March, I was in Holborn, near Field-lane; a person touched me and asked if I had lost any thing, I missed my handkerchief—I went back with this person and found it in a policeman's hand, and he had the prisoner—this is it—(*examining one*)—I know I had it a little while before.

Cross-examined by MR. PAYNE. *Q.* Have you any mark on it? *A.* Yes, in two places.

ALEXANDER BENGO. I live in Duke-street, Smithfield. About eleven o'clock that night I was coming down Holborn, and saw the prisoner with two others, one of the others attempted the prosecutor's pocket, but did not succeed—then the prisoner went forward, the other two shielded him, and he drew the handkerchief from the pocket—the other two drew off, and the prisoner pulled up his smock-frock and put the handkerchief into his own pocket—he was dressed as a coal-heaver—I told the policeman and he was taken.

Cross-examined. *Q.* How far were you from them? *A.* Three houses—I could not be mistaken about his being one of them—I am a hair-dresser.

THOMAS GREENHAM (*City police-constable, No.* 292.) I was called by Bengo and took the prisoner—he put his right hand behind him and dropped the handkerchief on the ground, this is it.

Cross-examined. *Q.* What became of the other two? *A.* I never saw them—I was close to him when he dropped it.

The prisoner received a good character.

GUILTY. Aged 21.—Confined Three Months.

1061. CHARLES CONSTABLE was indicted for stealing, on the 7th of March, 1lb. weight of tobacco, value 4*s.* 5*d.*, the goods of Thomas Alexander Mansford.

MARY MANSFORD. I am the wife of Thomas Alexander Mansford, a tobacconist, in St. John's-lane, Clerkenwell. About eleven o'clock in the morning of the 7th of March, the prisoner came to our shop for a box of lucifer matches; I served him, and he went out—I returned to my back parlour and an alarm was given—I went into the shop and found about 1lb. of return tobacco was gone out of a jar which stood on the counter—the

prisoner was soon afterwards brought in by a policeman—I believe the tobacco produced is what we lost, it resembles it in every respect.

WILLIAM HANNAM. I live in St. John's-lane. About half-past eleven o'clock on this morning I saw the prisoner go into the shop to buy some lucifer matches; he went to the corner, turned back, and saw Mrs. Mansford go into the parlour; he then went into the shop and came out with something in his apron—I ran after him and he was taken by a policeman—he threw the tobacco down about a yard from him, and there were the remnants of it in his apron.

JOHN DAWS (*police-constable G* 71.) I heard the cry of "Stop thief," —I took the prisoner, and picked up the tobacco (*producing it.*)

Prisoner. I have neither father nor mother, and I have no home; I have been getting my living in this way for two or three years.

GUILTY. Aged 15.—Transported for Seven Years.—Convict Ship.

1062. JAMES MARSDEN was indicted for stealing, on the 6th of February, 2 razors, value 1*l.* 1*s.*; 4 medallions, value 2*l.*; 2 pocket-knives, value 2*s.*; 1 box of paste, value 2*s.*; 1 piece of India ink, value 2*s.*; and 1 brush, value 1*s.*: also, on the 5th of November, 19 razors, value 2*l.* 10*s.*; 21 pocket knives, value 3*l.*; 10 stilettos, value 1*l.* 4*s.*; 5 pairs of scissors, value 12*s.*; 1 razor-strop, value 2*s.*; 1 shaving-brush, value 2*s.*; 2 combs, value 1*l.* 10*s.*; 9 ivory balls, value 15*s.*; 4 boxes, value 2*s.*; and 4 sets of chess-men, value 5*l.*: also, on the 21st of March, 1 box, value 6*d.*; and 31 chess-men, value 10*s.*; the goods of Thomas Howard Rigge, his master; to all which he pleaded

GUILTY. Aged 47.—*Recommended to mercy by the prosecutor.*—Confined Six Months.

1063. HENRY BROCKING was indicted for stealing, on the 6th of March, 1 basket, value 1*s.* 6*d.*; 27 lbs. weight of butter, value 1*l.* 10*s.*, the goods of Henry Ilden Tilby.

HENRY ILDEN TILBY. I bought a flat, containing 27 lbs. weight of butter, in Newgate-street, on the 6th of March, and put it into my cart—I went into the market, and when I came back the basket and butter were gone.

GEORGE BOLTER. I am in the employ of Mr. Waite, of Butcher Hall-lane. I was at the top of Butcher Hall-lane and saw the prisoner take a basket out of the prosecutor's cart and run across the road with it—I gave information—we ran and took him with the butter.

JAMES RAYNER. I live in Nelson-street, Shoreditch. I was minding this cart, and went after the prisoner—I overtook him with this butter-flat, which was the one put into the cart—he had got half a mile from the cart, and was looking over the butter, to see what he had got.

Prisoner's Defence. A man told me to stand by this, which I did, and I asked the officer to wait till the man came up, but he would not.

(The prisoner received a good character.)

GUILTY. Aged 15.—Confined Three Months.

1064. WILLIAM ANDERSON was indicted for stealing, on the 14th of March, 1 pair of trowsers, value 5*s.*, the goods of Henry Adams Newman; to which he pleaded

GUILTY. Aged 15.—Confined Four Months.

1065. ROBERT SMITH was indicted for stealing, on the 20th of March, 13lbs. weight of screws, value 20*s.*; and 1 hand-vice, value 2*s.*; the goods of James Burton.

THOMAS ELLIOTT PRICE. I am an appraiser, and live in Chancery-lane.

The prisoner went to arrange a sale at Mr. Burton's, in Tottenham-street, in the beginning of March—I know nothing of these screws and vice.

Cross-examined by MR. CLARKSON. *Q.* Whose goods were to be sold? *A.* James Burton's—it was an execution under a judgment—the goods fetched some 100*l.* under the amount of the judgment—they were delivered into the possession of Mr. Price, on the 18th or 19th of March—they had been seized by the Sheriff—they were at Burton's house—the sale took place on his premises—the goods had been seized a week or a fortnight before—Burton was living in the house—I should not have allowed him to meddle with any of the articles.

COURT. *Q.* You did not authorize the owner of the house to have any care of these things? *A.* No. The prisoner has been in my employ three or four months, and bore an extraordinary good character—I cannot account for this act.

JOHN BURTON. I am apprentice to Mr. James Burton, in Tottenham-street. I attended the sale—the prisoner was attending there—these screws were there, and would come under his cognizance in his duty there—they were in a box—I found they had been taken away by some one—I know his hand-vice—it was broken, and I mended it myself.

Cross-examined. *Q.* Has your brother any other name but James? *A.* No—he is now on the Continent—he was there about a fortnight, before the prisoner was committed.

WILLIAM HENRY SIMMS. I am in the employ of Mr. Payne, a brass-founder, in Shoe-lane. I produce these screws and vice—the prisoner came and offered them for sale at my employer's on the 20th of March—I asked him whose they were—he said he had been employed at a sale in Tottenham-street, but could not tell me the number of the house, and these screws were on the premises, but not entered in the catalogue—I asked if he had purchased them—he said no—I asked if they had been given him—he said no—I gave him in charge.

Cross-examined. *Q.* What are you? *A.* Clerk to Mr. Payne—I had not seen the prisoner till the Thursday evening, when he brought some metal, which I purchased of him—I gave him 7*d.* a pound—he was a stranger to me—these are useless but to go into the melting-pots—this piece was not offered for sale, it was found on the prisoner.

GUILTY. Aged 38.—*Recommended to mercy by the Prosecutor and Jury.*—Confined One Month.

OLD COURT.—*Wednesday, April 8th*, 1840.

Third Jury, before Mr. Sergeant Arabin.

1066. JOHN MILLARD was indicted for forging and uttering 3 requests for the delivery of 5 dozen pairs of stockings, and other goods, with intent to defraud John Benjamin Neville and others; to which he pleaded

GUILTY. Aged 25.—Transported for Seven Years.

1067. JOSEPH HALL was indicted for embezzlement.

MR. CLARKSON *conducted the Prosecution.*

WILLIAM CHADWICK. I am a solicitor, and live in Lincoln's Inn-fields. I was a client to Mr. Thomas Courtney. On the 13th of November, 1838,

I paid 9*l.* 19*s.*, as fees, to the prisoner; but nine guineas of it only was due to Mr. Courtney.

Cross-examined by MR. PRENDERGAST. *Q.* I believe you have had the money back? *A.* It has been returned.

MR. CLARKSON. *Q.* When was it returned? *A.* The evening of the day before the prisoner was committed, the sum of 10*l.* was laid on my desk in the office.

THOMAS COURTNEY, ESQ. I am a conveyancer, and live in Lincoln's Inn. The prisoner was my clerk and had been so nine or ten years, he was a valuable clerk—I had a great opinion of his honesty and integrity—I prosecute him with the greatest regret—his duty on the receipt of fees was to pay them to me immediately—he had no authority to retain them without informing me of receiving them—I did not know that he had received from Mr. Chadwick nine guineas on my account—he never accounted for that sum.

Cross-examined. *Q.* Have you reason to believe it was his intention to return the money to you? *A.* I think it was—I think he had a reasonable expectation of being able to do so.

(The prisoner received an excellent character.) NOT GUILTY.

Before Mr. Justice Littledale.

1068. EDWARD FELLOWES and JOHN HENRY were indicted for burglariously breaking and entering the dwelling-house of James Hughes, about two o'clock in the night of the 17th of February, at St. Pancras, with intent to steal, and stealing therein 2 coats, value 3*l.*; 6 spoons, value 1*l.* 10*s.*; 2 table-cloths, value 10*s.*; 1 toast-rack, value 10*s.*; 4 knife-rests, value 1*d.*; 1 castor-top, value 3*s.*; 1 pair of sugar-tongs, value 10*s.*; 1 pair of snuffers and tray, value 1*l.*; 1 card case, value 1*l.*; 2 candlesticks, value 1*l.* 18*s.*; and 1 thermometer, value 15*s.*; his property; also 1 tea-pot, value 5*l.*; 1 coat, value 3*l.*; 1 cloak, value 3*l.*; 1 cape, value 1*l.*; and 1 handkerchief, value 3*s.*; the property of William Edmund Slaughter.

MR. CLARKSON *conducted the Prosecution.*

JAMES HUGHES. I live in Heathcote-street, Mecklenburg-square. On the night of the 17th of February, I went to bed about one o'clock in the morning—there are two entrances to the house, one from the area and the other at the front-door—I saw that the front-door was locked and bolted—it was the business of the servant to look to the area door—there is a garden in front of the house—the kitchen-door which leads from the garden is partly glazed—my servant White called me up about seven o'clock in the morning and I missed the articles stated, which I had seen safe the night before—I found the corner of the kitchen window had been broken large enough to admit a hand, the fastenings undone, the window thrown up, and one of the pannels of the shutter was cut out with a chisel—one of the hinges was forced off—there appeared to be marks of a chisel on the shutter—a chisel was produced to me when I came down stairs—I believe it was handed to the policeman.

ELIZA WHITE. I am in the service of Mr. Hughes. I have known Fellowes about twelve months, he was living in the service of Mr. Kelly opposite the prosecutor's—I became acquainted with him there—I have spoken to him several times at my master's garden-gate—he has been inside the garden, as the gate was always open—he used to come to speak

to me—I have not spoken to him since the 1st or 2nd of September last—I do not know what he has been doing since he left Mr. Kelly. On the night of the 17th of February I went to bed about a-quarter to one o'clock—the kitchen window was fastened and the door also—I took all the plate up stairs except the silver tea-pot, plated toast-rack, some silver tea-spoons, a mustard-spoon, a desert-spoon, two plated candlesticks, snuffers and tray, and a castor-top—I left the tea-pot, toast-rack, and knife-rests on a shelf in the kitchen—as it was so late in the evening I did not think it worth while to take them up—the others were in the drawing-room—the coats and cloaks hung in the hall—the clock was in the kitchen against the wall—there was one table-cloth in the kitchen drawer, and a dresser-cloth and card-case—I took all the rest of the plate up stairs—I came down stairs at seven o'clock in the morning and found the coats and cloaks gone out of the upper hall—it was not very dark nor very light—I got a light and went down to the kitchen—I saw one pane of the kitchen window broken, and the shutter standing outside—the other shutter hung in its place—a person by putting a hand through the window could get the shutter off after throwing the window up—I missed the articles stated from different places—there were five coats and cloaks in the hall altogether—(*looking at a handkerchief*)—I have seen Mr. Slaughter, the lodger, with a handkerchief like this—there were marks on the shutter where it had been forced open by some instrument like a chisel—I found a chisel like this on the kitchen dresser, and gave it to Cousins, the policeman, there is a notch in the edge of it—it was near a mahogany knife-box which had been broken open—I saw the marks on it—they might have been produced by a chisel—I have put the broken pieces of the box together and they make a complete box—the marks on these pieces of wood look exactly as if they were made by this chisel.

William Edmund Slaughter. On the 17th of February I lodged at Mr. Hughes's—I lost a great-coat, a cloak, a cape, this handkerchief, and a silver tea-pot, that night—the value of the whole is at least ten guineas—when the handkerchief was in my possession it was marked W E S"—here is the place where the mark was in—here are the remains of it now—there is a very little of the red cotton left in it—I bought it at Hawes and Otley's, in the Poultry, and they got it marked for me—I believe it to be mine—it is the same pattern—I had it several weeks before the robbery.

Henry. Q. If your handkerchief was marked how can you swear that it is yours? *A.* It is exactly like the one I lost—there are all the remains of the three letters.

Fellowes. He said at the station-house he did not perceive the marks at all. *Witness.* I did not state any such thing—I said I did not know whether it was marked in the corner or side—I could not have told the day after the robbery in what particular part it was marked—I have every reason to believe it is mine, because there are the remains of the three letters in red cotton—I said I did not know with what colour it was marked, but, to the best of my recollection, Mr. Hawes advised me to have it marked red.

Louisa Brewer. I live in Lime Street-passage, City. I am in the habit of working for Hawes and Ottley—I remember some weeks ago receiving from their servant a handkerchief to mark—I marked "W E S" on it in red cotton at the side—it is more usual to mark at the corner—I

hemmed it also—this is like my hemming, but I could not swear positive to it—this has every appearance of my work—here is where the lette have been picked out—I cannot distinctly tell what the letters have been—the first has every appearance of a W—there have been two other lette here, but I cannot trace the form of them distinctly—the threads of t handkerchief are broken, which destroys the shape of the letters—here the remains of red cotton about it—it is exactly such a handkerchief as did mark, and in the same place, and with the same coloured cotton—was hemmed with black silk, and so is this—there is nothing extraordina in that.

Henry. Q. Did you have no other handkerchief besides that to hem *A.* Yes—the last I hemmed like this was two or three months ago—th was this one.

Fellowes. Q. Did you never hem any other handkerchief for this gen tleman? *A.* Not that I know of—I said I had hemmed other handkerchie of the same kind from the same shop, but not for Mr. Slaughter—they wer the same kind of material, but not the same colour or pattern—I have n hemmed one of the same colour nor pattern since—I have no recollectio of hemming another of the same pattern about that time—I have n hemmed any of the same pattern for two or three months, and they wer different colours—it depends on the colour what I hemmed them with—cannot swear to this handkerchief.

MR. CLARKSON. Q. Have you ever on any occasion hemmed any hand kerchief of this fabric, colour, and pattern, except the one sent to you b Hawes and Ottley? *A.* At different times I have, but not lately—I hav hemmed some of the same material and pattern, but not the same colour—I have not hemmed a black and white one since—if it was a differen colour the silk would be the colour of the handkerchief—I invariably mar handkerchiefs with red cotton.

JAMES HAWES. I am one of the firm of Hawes and Ottley, of th Poultry. I remember selling Mr. Slaughter a black and white handke chief like this a few weeks ago—it is an old pattern—I have, no doubt, sol many such—Mr. Slaughter wished it hemmed—I asked if he would have it marked, and advised him to have it marked at the side, which wa done—this handkerchief has been marked, and here is where it has bee picked out—Mr. Slaughter wished it marked with white, but I advised hi to have it marked with red—this handkerchief has been marked with re evidently—there have been three letters on it, but I cannot state what the were—nobody marked for us except Miss Brewer at that time, and Mi Slaughter's handkerchief was sent to her—I saw it delivered to him after wards—I have no doubt this is the handkerchief—I cannot swear to it, be cause there are so many like it.

Henry. Q. Is it six months since you began to sell that pattern *A.* I have sold them for years—I have sold some within a fortnight, bu not marked in the same way—it is not usual to mark them with red—w often hem them, but not mark them—I have no recollection of giving di rections for any other to be marked red—I never recollect ordering one o that pattern to be marked with red cotton and three letters—I saw th handkerchief after it was marked—it was marked in the side.

MR. CLARKSON. Q. Have you any knowledge of the prisoners? A Not the least—I have no idea of having sold them any handkerchief.

THOMAS MARTIN (*police-constable G* 61.) About seven or half-pa

seven o'clock in the evening, on the 27th of February, I saw the two prisoners in Gray's Inn-lane, in company with a third person—it was about eight o'clock as near as possible—they were going towards Holborn—I saw them walking all three together eight or nine yards before they came opposite to me, on the opposite side of the way—Murphy, my brother officer, took hold of Fellowes, who immediately said to the other two, "Halloo, look here"—I at the same moment ran across the road—the other two stepped off the footpath into the road towards Fellowes—Murphy was in plain clothes, I was in uniform—I went to Murphy's assistance, and then they both stepped on the footpath back again, and walked away as fast as possible—I ran after them, and secured Henry—the other escaped.

Henry. *Q.* What distance was I when I stepped off the footpath, when you took me into custody? *A.* You were thirty or forty yards from Fellowes when I took you—you did not run, nor look back—on the road to the station-house you said, "What have you got me in custody for?"—I said, "Never mind, you shall know as soon as you get to the station-house"—that was in Holborn, when we had got three parts of the way to the station-house, which is in George-street, St. Giles's.

Cornelius Murphy (*police-constable E* 21.) I took Fellowes—he was in company with Henry and another man—I found on him a box of lucifer matches, with a candle inside it, and two more pieces of candle, in his breast-pocket, and, in his left coat-pocket, this chisel, a gimlet, and three knives—he was groom to Mr. Kelly once, I believe—on my seizing him he said to the others, "Halloo, look here," calling their attention to me—I was in plain clothes—I was in search of Fellowes at the time—I called Martin to assist in apprehending the others.

Henry. *Q.* Where was I apprehended? *A.* At the top of Gray's Inn-lane—at the time you were taken, I believe you were on the path—I took Fellowes about thirty yards from Holborn—when I took him the three were together, but when you were taken you were twenty or thirty yards from Fellowes—I cannot say whether you were talking to him.

John Crispin Rawley. I am an Inspector of the G divison. When Henry was brought to the station-house, I saw him in the lock-up place, I took this handkerchief off his neck, and asked where he got it—he said he bought it in Petticoat-lane about three weeks ago—I received this notched chisel from the sergeant at the station-house—it was left in charge there by Cousins—these chisels can be bought with or without handles—this corresponds with the one found on Fellowes in the handle, the maker's name, and in every respect except being a size smaller—there is nothing extraordinary in them—they appear to have been handled by a person who did not understand using them.

Catherine Hewitt. I live in Hampton-street, Gray's Inn-lane. On Monday night, the 17th of February, I passed through Mecklenburg-square, a little after eight o'clock, as I was coming home—before I came to Heathcote-street I observed a man on the left-hand side in Mecklenburg-street, loitering about, and when I came to Heathcote-street I saw two men on the left-hand side—No. 12 is on that side—they appeared in company together—the lesser one stood at the edge of the pavement, with his hands in his pocket—they did not appear to wish any body to see they were acquainted together, but they appeared from their manner to be acquainted—I had suspicion of them, and turned round and looked at them—there is

no thoroughfare through Heathcote-street—Fellowes is just the height and size of the one who stood on the edge of the pavement with his hands in his pocket—his face is very familiar to me, but I cannot tell where I have seen him—the other man was walking down towards me when I first saw him, as if coming out of Heathcote-street—he walked to the end of Heathcote-street, then turned round, and walked back again, past the one who stood at the edge of the pavement—that was Henry—I had seen him several times in the street before—he has every appearance of being the man—I believe it was him—I had seen him about before—I had suspicion, and stopped to look at him for about five minutes.

Henry. Q. Can you state why you believe it was me? *A*. You answer in size and height, and with respect to your coat it was a frock-coat, apparently black, or next kin to it.

JAMES NIGHTINGALE. I live on Saffron-hill. The prisoner Fellowes lodged with me four or five weeks before Monday, the 17th of February—he did not come home to sleep that night—he had slept at my house for three successive nights before that—on the Tuesday, the night after the robbery he slept at my house—he came home in liquor that night—he was in my debt before the Monday, and in distressed circumstances—he had deposited a shirt with me for 4*d*., which he owed me—my lodging is 4*d*. a night—when he came on the Tuesday night he paid 3*d*. of the debt, and I returned him his shirt—I had had it from the 11th to the 18th of February as security.

CHARLES COUSINS. I received this largest chisel from White at the prosecutor's house on the morning of the 18th—I saw the pieces of the knife-box—they were fastened to the lid by the lock—this chisel has the appearance of being the one which made the marks on the box—this one was found in the house—I examined the shutters—they had marks of force on them—the chisel found in the house corresponds with the marks on the shutter, and I have no doubt made them.

JOHN CRISPIN RAWLEY *re-examined*. I was in attendance before Mr. Greenwood the Magistrate, at the prisoner's examination on this charge—I believe the name of Mr. Greenwood to this to be his handwriting—I have seen him write, and feel confident of it—I could not speak quite positively—I believe it to be his writing—unless my attention was specially called to it I should not say it was his, I think—I heard Henry make a statement which was taken down by the clerk, and signed by Mr. Greenwood—it was read over to him—he did not sign it himself—he said it was his statement. Fellowes also made a statement, which was read over to him before the Magistrate signed it.

GEORGE ROBINSON. I am clerk to Mr. Yardley, the attorney for the prosecution. I am acquainted with the character of Mr. Greenwood's handwriting—the signature to this examination is his writing—I have seen him write many times—the body of the writing is the clerk's.

(*Read*)—"The prisoner Henry says,—'I bought the handkerchief, as I said before, in Petticoat-lane. I am in the habit of buying and selling things there, and translating shoes. I was coming through Gray's Inn-lane when I was stopped. I was not with Fellowes; I am not acquainted with Fellowes. I have seen him before, but not to associate with him. I asked what I was taken for; they said I should soon know. I am a total stranger to what I was taken for.'"

"The prisoner Fellowes says,—'I am quite innocent of the crime; the things found on me I found in Leather-lane the same night.'"

Henry's Defence. I was not with Fellowes at the time stated, nor was I in Heathcote-street. I bought the handkerchief with another which I have on.

NOT GUILTY.

1069. SAMUEL HANSON was indicted for burglariously breaking and entering the dwelling-house of James Merry, about eleven o'clock in the night of the 2nd of March, at St. Leonard, Shoreditch, with intent to steal, and stealing therein, two coats, value 4*l.*; 2 pairs of trowsers, value 1*l.* 5*s.*; 2 waistcoats, value 1*l.*; 6 handkerchiefs, value 10*s.*; 3 aprons, value 3*s.*; 2 brushes, value 2*s.*; 1 shirt, value 2*s.*; 1 shirt-front, value 6*d.*; and one stocking, value 6*d.*; the goods of Benjamin Arthy.

BENJAMIN ARTHY. I am a baker, and lodge at a coffee-house at the corner of Christopher-street and Wilson-street, Finsbury-square, kept by James Merry. On the 2nd of March, I left my room between six and seven o'clock in the morning, leaving nobody there—I shut the room-door when I came out, but did not lock it—I latched it—it is on the third floor—the window looks into Christopher-street—an old lady and gentleman lodge on the second floor—there is only one servant—it is in the parish of St. Leonard, Shoreditch—I returned home about seven o'clock in the evening, and went up to my room about eleven o'clock to go to bed—I then found the door standing wide open, and a box of clothes which I had left locked in the morning, broken open, and the things stated gone—the window-blinds were shut down in the sash with the window, as if it had been put down in a hurry—there are two windows—only one was so—some clothes and a hat-brush were gone out of a drawer, and a coat, waistcoat and trowsers from a peg—the articles are worth about 7*l.* 13*s.* altogether—I came down to inform the landlord, and the officer was standing at the bar—I went with him to the station-house and saw the prisoner, and all my things there—I did not know him before—these things were all safe when I left in the morning—I found some old rags left in the room which did not belong to me.

ROBERT SPINK. I was a policeman at the time in question. On Monday night, the 2nd of March, I was on duty in Clifton-street, Finsbury-square, and about twenty minutes before eleven o'clock saw the prisoner come from the door of Merry's coffee-house, which is at the corner of the street; he looked round, looked up at the house, and then looked down and picked up a bundle which I had seen fall down on the ground from some part of the house, but I cannot say exactly which window; when he picked it up he looked up again and caught two other bundles, one after the other—he picked up the first one which he had, and put with the other two and ran away with them—I saw a handkerchief and stocking fall from the bundle—I took them up, followed him, and stopped him in King-street, Finsbury-market—I asked him what he had in his bundle, he said, "Dirty linen," that it was given to him by a young man at the Finsbury coffee-house—he said he knew the young man but did not know his name—I asked him if it was his dirty linen, he said "Yes"—I saw the sleeve of a coat and of a clean shirt hanging out—I thought it was not right, and took him to the station-house; in going along we passed the Finsbury coffee-house, and I asked if he had been in there, he said "No"—on going further, he said two of the bundles he had brought from St. Paul's churchyard, and the other he had given to him by some young man his mother used to wash for—I examined

the bundles at the station-house and they contained the articles stated—I went to the Finsbury coffee-house, up to a room which the prosecutor and Merry showed me, and found a box broken open—the windows of that room look into Christopher-street, where I saw him pick up the bundle—I examined the windows, one of them had been open—I returned to the station-house and found two brushes and a handkerchief on the prisoner, a piece of list, and a waistcoat—the prosecutor went there with me and claimed all the articles found on the prisoner—I have left the police a fortnight—I was dismissed—the things have been at the station-house, locked-up, under the care of Finlay, the inspector—he is not here—Cole delivered them to me here—I know they are what I found on the prisoner.

ROBERT COLE (*police-constable G* 193.) I delivered these articles to Spink—I received them from Finlay, the inspector on duty.

BENJAMIN ARTHY *re-examined.* These are all my property—I know the coats from their general appearance—I had put them away the day they were stolen—they have no mark on them—I have worn some of them six months and some twelve months—the aprons I also know from their general appearance—this is my shirt, I know it from wearing it—I know the brushes, I have had them three years—I heard no noise in the house—a Loan Society meets there from seven till eleven o'clock on Monday nights, and we do not notice the people who go up stairs and down—I dare say seventy people went up to the club-room on the first-floor that night—the servant of the house is a female.

Prisoner's Defence. Last Monday five weeks I had been with a young gentleman my father worked for in former years, he lives in Bishopsgate-street, and is a wine-merchant; I went with him to take care of a cart and assist him with the goods he had in it; on returning home in the evening, coming down the City-road, I missed him; I went back to look for him and saw these things lying down by the public-house; I took them up, and as I crossed the road another policeman came up, and this one asked what I had there, I told him dirty linen; he asked where I was going to take it, I said home; he took me to the station-house, went to the coffee-house and brought this young man there.

(John Baker, of Butler's-buildings, Bermondsey; and Rosetta Cabby, of Dun's-alley, Bishopsgate-street, gave the prisoner a good character.)

GUILTY. Aged 21.—Of Stealing under the value of 5*l.*—Transported for Seven Years.

1070. THOMAS SAVAGE and GEORGE BODDY were indicted for a robbery on the 8th of March, on Michael Callaghan, putting him in fear, and taking from his person, and against his will, 1 handkerchief, value 4*s.* 6*d.*, his goods.

MICHAEL CALLAGHAN. I am a labourer in the employ of Mr. State, and live at Bow-common. On Sunday, the 8th of March, I was going along Brick-lane, Whitechapel, between eleven and twelve o'clock at night, I was going home—I saw three persons standing at the corner of a public-house, they seemed to be talking together, and as I came up they separated to make room for me to go between them—one of them tripped me up, and when I was down another came and untied my neck-handkerchief and pulled it off—they knocked me down senseless—I fell on my face—when I was getting up they all ran away—I was on my knees getting up when the handkerchief was taken—he pulled it as hard as he

could—it did not come off very easily—when I got up I saw my handkerchief in the prisoner Savage's hand as he was running away, and I saw him twisting it up in his hand—I do not know the other two—Boddy looks very much like one of them—I cannot swear to him, but I think he was one of them—I called out, a policeman came up in two or three minutes and I gave him a description of the men as near as I could—I never saw Savage before, but I am certain he is the man that took the handkerchief off my neck—I went to the station-house directly—Savage was brought there—I knew him again directly I saw him—the handkerchief was brought to the station-house by the policeman with Savage, and I knew it again.

Savage. When I came to the station-house he was intoxicated. *Witness.* I was not—I am sure I had not drunk above a glass or two of ale that day—I had been in one or two public-houses—I had a pint of ale in each, and another man with me had a share of it—I might drink a pint and a half—I had no gin.

GEORGE METCALF (*police-constable H* 123.) On Sunday night, the 8th of March, I was on duty in Fleur-de-lis-street, Brick-lane, Spitalfields—I saw the prosecutor between twelve and one o'clock at the corner of Thrawl-street, knocking at a public-house door—he made a complaint to me—he appeared as if he had been stunned—he appeared in liquor at that time, but three minutes after he appeared perfectly collected—he gave me a description of three men, in consequence of which I went in pursuit, and in about half or three quarters of an hour I saw three men standing in Fleur-de-lis-street, at the corner of George-street—they perceived me, and separated—two of them went up George-street, and Savage walked down Fleur-de-lis-street—he said, "Good night, *Bill*," or "*Tom*," I am not positive which, "I shall see you in the morning"—I immediately walked after him, laid hold of him, and said I wanted him—he asked what for—I said he must come to the station-house with me, that he had a handkerchief about him that did not belong to him—he said, "I have not, and I shall not go"—I said, "You shall"—he would not go—I then searched him, but could not find the handkerchief then, nor any thing at all—I let him go, but followed him up—about five minutes afterwards another officer came up to me, and produced the handkerchief—in consequence of what he said I went after Savage again, and apprehended him again—I should know the other two men if I were to see them again—Boddy is one of them, I am positive—I had seen him before—I took Savage to the station-house—he was searched there, but nothing found on him.

ELIZABETH COUSINS. I am in custody for the purpose of giving evidence—I live at No. 7, Fleur-de-lis-street. On Sunday night, the 8th of March, between twelve and one o'clock, I was going home, and saw Savage scuffling with Metcalf—I saw Savage take a handkerchief out of his pocket, and throw it behind him—Metcalf took him away—I picked up the handkerchief, and gave it to Burnham, the officer—I have seen it since in the officer's hand, and before the Magistrate, and knew it again—I had seen Savage about ten minutes before I saw him scuffling with Metcalf—he was then in company with Boddy and another—Savage had a handkerchief in his hand at that time, showing it to Boddy and the other—(they were going down the street)—it was a red ground with yellow flowers.

Savage. *Q.* Do you swear you saw me take the handkerchief out of my pocket, and throw it down? *A.* Yes, and I picked it up.

JOHN BURNHAM (*police-constable H* 58.) On Sunday night, the 8th of March, I was going along Fleur-de-lis-street, between twelve and one o'clock, and saw Metcalf searching Savage—he found nothing on him, and let him go—Cousins came to me soon after, and delivered me this silk handkerchief—(*producing it*)—I delivered it to Metcalf, and he apprehended Savage directly after.

ALLEN PIPE (*police-constable H* 51.) On Sunday night, the 8th of March, about twelve o'clock, I was on duty and heard a bustle in Wentworth-street—I went down, and found the two prisoners and another—they had been trying to upset a woman—I ordered them away, and said, if I saw them in the street again, I would take them to the station-house—I followed them to the end of Brick-lane—about ten minutes after I received a description of three persons, in consequence of which I apprehended Boddy on Tuesday, the 10th of March, in Brown's-lane, Spitalfields—I told him I wanted him, on suspicion of being concerned in knocking down and robbing a man on Sunday night—he said he knew nothing at all about it—I said, "You recollect my driving you out of Wentworth-street on Sunday night, about twelve o'clock?"—he said he was not there, for he was at home and in bed at ten o'clock—I said, "I suppose you know Savage is in custody for the same thing?"—he said he did not know any such person as Savage—I took him to the station-house.

GEORGE METCALF *re-examined.* I received this handkerchief from Burnham—it has been in my care ever since, at least I left it with the sergeant at the station-house on the 10th, and received it from him to bring here—I am positive it is the same.

ELIZABETH COUSINS *re-examined.* This is the handkerchief I saw Savage throw behind him, and which I delivered to Burnham—I am quite positive of it.

MICHAEL CALLAGHAN *re-examined.* This is my handkerchief, and the one that was taken from my neck that night—I know it by being hemmed with yellow thread, and by its being a little soiled in the middle—I have had it six years—I cannot swear to it by the pattern, as there may be others like it—it is the pattern of the one I lost.

(*The prisoner, Savage, in his defence, stated, that he had been to his aunt's, in Whitechapel-road, to a christening, and had a little to drink, and on his return was stopped by the policeman, and taken to the station-house for stealing this handkerchief, of which he was quite innocent.*)

Boddy's Defence. On the Sunday night I was at home at ten o'clock—the door was usually fastened by that time, and if I was later I could not get in—my mother was out nursing—she came home about half-past eleven o'clock, and saw me in bed and asleep with my little brother—on the Tuesday following, as I was going on an errand in Brown's-lane, the policeman came and said he wanted me on suspicion of a robbery on Sunday night—I said I knew nothing about any robbery—he asked if I knew any body named Savage—I said I did not—I am innocent of it.

SAVAGE—GUILTY. Aged 18.—Transported for Ten Years.

BODDY—NOT GUILTY.

Fourth Jury, before Mr. Recorder.

1071. ROBERT CHANDLER was indicted for that he, on the 5th of March, being armed with a certain pistol, in and upon Fanny Lisette

Elizabeth Wortley Nainby, did make an assault, and put her in fear and danger of her life, and feloniously stealing from her person, and against her will, 1 purse, value 1*s.*; 1 half-crown, and two shillings; her property.

FANNY LISETTE ELIZABETH WORTLEY NAINBY. I am single, and keep a preparatory school for young gentlemen, in Canonbury-place, Islington. On the evening of the 5th of March, about seven o'clock, or a few minutes after, I was walking with two of my pupils, Wilkinson and Fortescue, who are both eleven years old, through Canonbury-field—it is a regular highway—I overtook a man, who stopped when I came near him, drew a little on one side, and said, "I will thank you for some money"—I said, "I have none to give away"—he then went behind me, and on coming to the other side he said, "I have been told you have, and I must have some"—I said, "I have a few shillings only in my pocket," and felt in my pocket—he came close to me, shewed me a pistol in one hand, and held the other for my purse or whatever money I had—I gave him my purse, on seeing the pistol, from fear—he held the purse up on my giving it to him, went behind me, and went away—it contained half-a-sovereign and two or four shillings, I am not certain which—I had not the opportunity of noticing his face, but I noticed his figure—I did not notice his voice particularly, I was too much frightened—the prisoner was thinner when I saw him at Hatton-garden than when I saw him in the field, but from his general appearance I then thought it was him, and I am of that opinion still—I did not see his face, as I had rather a thick veil down, and he kept rather on one side.

Cross-examined by MR. PRENDERGAST. *Q.* What time was this? *A.* A few minutes after seven o'clock on Thursday, the 5th of March—I am quite sure of that—he held his hand for the money—I did not recollect at the moment whether I had my purse, or my money loose in my pocket, but I felt my purse, and I gave it him, which I should not have done but for the pistol—he did not threaten me, but he frightened me as much as if he had threatened me—he did not say he was distressed, nor any thing like it—he stood by my side, and held the pistol in his hand—I only saw the barrel of it—I saw the whole of the barrel, not the stock—I did not see the lock nor the handle.

Q. How could you tell it was a pistol? *A.* From my observation of it—I saw the barrel and the mouth—there are other tubes like a pistol-barrel, but I think decidedly this was a pistol—he showed it to me to intimidate me—he did not tell me it was a pistol, nor tell me he would do any thing to me with it—the mouth was not turned towards me—I saw the wood that supports the barrel—I had my veil on at the time—it was not a very indistinct view that I had—my veil is not a very thick one—I have the same on now—I wear it to exclude the air, being subject to a cough—it was dusk—I will not swear it was a pistol-barrel.

COURT. *Q.* Were you impressed with that notion by seeing a barrel supported by wood as a pistol is, and the mouth also? *A.* Yes—we had crossed from Paul's-terrace—it struck seven o'clock when we came to the end of Paul's-terrace, which makes me know it was very little after seven o'clock.

FREDERICK FORTESCUE. I am eleven years old—I am a pupil of Miss Nainby's, and live with her. I was with her on the 5th of March in Canonbury-field—we passed through Paul's-terrace in our way—I noticed a man in Paul's-terrace, it was the prisoner—I am certain of him—he turned

round and looked at us, which made me look at him—when we were walking across Canonbury-field he was walking before us, then he went behind, and said he would thank Miss Nainby for some money—she said she had none to give him—he then came before her, and showed her the pistol, and she gave him the money—I saw the pistol—I noticed the barrel and the lock—I noticed his features—I had seen him before on Paul's-terrace, and knew him to be the same man—I was noticing him when he produced the pistol, and had the purse from Miss Nainby—I was alarmed, which made me look at him more—it did not take long—I positively swear he is the same man—I have no doubt about it.

Cross-examined. *Q.* It was dark, was it not? *A.* Nearly dusk—he had his finger on the trigger when Miss Nainby was going to give him the money—I could see the flint distinctly—I could not see the handle, he had it in his hand—when I saw him in Paul's-terrace he was idling about, walking slowly—I had never seen him before that night—it was about five minutes between our being in Paul's-terrace and seeing him in the field—there is no light in Canonbury-field—he had a light flannel jacket on, and dark trowsers—I saw him in custody about a week after, or perhaps more.

JOHN WILKINSON. I am eleven years old—I live with Miss Nainby. On a Thursday evening I was in Canonbury-field, when a man spoke to her—he said, "I will thank you for some money"—Miss Nainby said she had none to give away—he came to her side, and said, "I have been told you have some, and I must have it"—he then presented the pistol, and she gave him her purse—I had seen the same man before on Paul's-terrace, and noticed him—he turned round and looked at us as we passed, and when he got behind us he stood and looked at us—he had a flannel jacket on—the prisoner is the man, I am quite clear about it—I had not hold of Miss Nainby's hand—I was walking on one side, and Miss Nainby in the middle—the prisoner came on the side I was on when she gave him the purse.

Cross-examined. *Q.* He presented the pistol, did he? *A.* He had it in his hand—he held it—he did not hold it before Miss Nainby—I did not see where he got it from—he did not have it in his hand on Paul's-terrace, and I do not think he had it in the field at first—he had it when he said, "I will thank you for some money"—it was dusk—I saw him afterwards at the police-office—I was told I was to go to see the man who had robbed Miss Nainby—I went, and knew him to be the man—Miss Nainby told me I was to go to see the man that robbed her—they showed me nobody but the prisoner.

COURT. *Q.* When you saw him did you recognise him? *A.* Yes, directly—I expected to see the same man, and when I saw the prisoner I knew him to be the same.

MR. PRENDERGAST *called*

RICHARD CHANDLER. I am the prisoner's brother, and am a shoemaker, and live at No. 1, Windsor-street. The prisoner is a shoemaker—he follows the trade with me. On Thursday night, the 5th of March, he was at home, working with me—he was working with me at seven o'clock—we had more work than usual, having a fresh shop to work for, which made me very busy—we worked very late in the evening, till we went to bed—I am certain he was not out of my house at all on the Thursday—he went out for a few minutes on Wednesday into the adjoining street—he was not gone above a few minutes—I am quite certain he did not leave the house on Thursday—he never wore a flannel jacket—the officer came to my

house to search for one, but nothing of the sort was found—I am a married man.

COURT. *Q.* When did you take the house No. 1, Windsor-street? *A.* About six weeks ago—I have only two rooms—I took them on the last Monday in February, but I have lived in the same street five months—I moved on the Monday—I have been there about five weeks—I had two shops to work for, which made me take the two rooms—I know it was the Monday before March that I went into the rooms—I got work the beginning of the week after I got there—I begin work at seven o'clock in the morning, sometimes before—my brother was taken up three weeks ago last Monday—I think it was a fortnight after the fifth of March—I do not recollect the day of the month—I got more work on the day my brother was apprehended—it is very seldom I keep the day of the month—I speak to this day, because I recollect I got some more work—there was a strike with some shoemakers, and they left the shop on a Monday—I went to the man, and he gave me more work—that was in the week that it is said these ladies were stopped—I know it by the 4th of March being Ash Wednesday—he went out into the next street for a trifle that was owing—we began work at seven o'clock that Thursday, and finished at eleven o'clock—he never went out of the house from seven to eleven o'clock, only into the back-yard—he was not absent five minutes—Paul's-terrace is, I should think, a mile and a half from Windsor-street, or better, and Canonbury-field about a mile—I live not quite half a mile from the City-road—the prisoner dined at my house that Thursday, and drank tea, and breakfasted there also—Britannia-fields is close by where I live—my brother was at home with me on the 16th of March till he was taken in the evening.

Q. Then from the Monday in February up to the 16th of March he had never been out an evening? *A.* Never, except on Wednesday evening, when he went out to get a trifle that was owing to me in the next street—that was the only time he left my house in an evening—he lodged with me, and slept in the back-room—I slept in the front-room—we first worked in the back-parlour, but the weather being cold we took to work in the front-room—my brother came to me from a Mr. Lickfold—I never walked out with my brother—I was always obliged to work very hard, not on Sundays and all, but I was always at home on Sundays, and my brother too—he never went out of an evening—if he went out he went out of a morning.

Q. Now recollect yourself about the 16th of March? *A.* I never keep the day of the month—he might have been taken then—I do not know whether he was taken that evening—I do not know the day of the month—I know the Monday evening he was taken—I know he was taught in our street by an officer.

ANN CHANDLER. I am the wife of the last witness. I remember Ash-Wednesday—the prisoner was at our house that week at work with my husband—he was at home on the Monday of that week—he was not out that day, nor Tuesday—on Wednesday he was out a little in the evening I think, between eight and nine o'clock—he was not out at all on Thursday I am quite sure—he could not have been out without my knowledge, because I am always in the room with them—I live in the same room as they work—he was not out at all that evening—he had lodged with us about four months on this occasion—we lived at No. 33, in the same street—he

had been with us in both houses—I never saw him wear a flannel jacket—I never saw such a thing on him—the officers searched our house to find one, but they could not find it—I am positive we never had such a thing in our house—he slept in our house, and got his meals with us—he had a box in which he kept his things—that box was searched by the officers—no part of his clothing had been put out of the way—we had no idea that he was taken.

COURT. *Q.* He was taken in your street, was not he? *A.* Yes, but we did not hear of it till the officers came, which was, I think, the same afternoon—I went to the police-court, and was examined by the Magistrate in the presence of the prosecutrix, and stated what I have now.

MISS NAINBY, (*re-examined.*) I saw this witness and her husband before the Magistrate. I saw the prisoner in the field a few seconds before he stopped—he was ahead of me—there are two roads, one that we went, and a road that goes straight by the side of the field, and I think he came suddenly on us, before us—we had got about two thirds across the field—I think he went in a different direction to us to the same spot—it is a large open space—there is a road by the side—it is not two minutes' walk from Paul's-terrace to Canonbury-field—it is merely across a bridge by the New-river—we did not appear to be following him any time before I saw him—he suddenly appeared before us.

(Charles Lickfold, cheesemonger, Windsor-street, Islington; and John Mallett, shoemaker, Liverpool-road, Islington, gave the prisoner a good character.)

GUILTY. Aged 20—*Recommended to mercy on account of his previous good character.*—Transported for Fifteen Years.

1072. ROBERT CHANDLER was *again* indicted for that he, on the 5th of March, being armed with a certain pistol, in and upon Sabrina Jane Archer did make an assault, with intent to rob her of her goods and monies from her person.

MR. BALLANTINE *conducted the Prosecution.*

SABRINA JANE ARCHER. I live in Annett's Crescent, Lower-road, Islington. On the evening of the 5th of March, about a quarter to seven o'clock, I was returning down Canonbury-park alone—I overtook the prisoner in Canonbury-park—I passed him—he afterwards came by my side, and said, "Some of your money if you please"—I perceived nothing in his hand then—I said I had no money—he then placed himself before me and presented a pistol—he held it before me, presented it, and almost touched my bonnet with the muzzle—I begged of him not to hurt me when I saw the pistol—he said, "I will not hurt you, but I am sure you have some money in your pocket"—I told him I had none, and said, "I hear people coming, let me pass"—he said, "Do not say a word, and I will let you pass; I am forced to do it, I can't help it"—he then let me go, and I went home—the prisoner is the man that stopped me—he was dressed in a white jacket—I cannot swear to what kind of an article it was—it was particularly white and clean—I know it was the time I state—I was coming from Islington—I had gone out at five o'clock merely into the town—I left Islington about half-past six o'clock—it is not quite half a mile from there to Canonbury-park—I walked straight to the park.

COURT. *Q.* Is the park the same as the field? *A.* No—the field is at the top of the park—it leads into the field—I got home rather before

seven o'clock—I live about fifteen minutes' walk from Canonbury-park—Canonbury-park is a good distance from Paul's-terrace—I was about the middle of the park when I was stopped, which is some distance from the field—I got home about seven o'clock—I did not look at the clock—it was dusk—I was told that was the time—there are two or three different roads from Paul's-terrace to the park.

Cross-examined by MR. PRENDERGAST. *Q.* Is the park by Canonbury-tavern? *A.* No—it leads down to Annett's-crescent—it is almost at the top of the field—it is more like a lane than a park—it was dusk—it was about half-past six or twenty minutes to seven o'clock—it was quite dark about a quarter of an hour afterwards—it was nearly dark when I got home, which was more than ten minutes after—I was very much alarmed—I had a good opportunity of looking at the man—I looked first at the pistol and then at him—he had on a white jacket—it appeared like a woollen one of some description—not in the least like the one he has on now—I saw him at Hatton-garden, and at the station-house the same day—I had given a description of him at the station-house the night I was stopped—I went with Miss Nainby to Hatton-garden—I never knew her before—the two boys were not with us that day—the policeman called at our house and said they had taken a man answering the description I had given—I knew him directly I saw him—I had never seen him before.

JAMES DEAR. I am a policeman. I received a description of a person charged with stopping the prosecutrix—the description was left at the station-house where I received it—I did not have it from her—I took the prisoner on another charge on Monday night, the 16th—I informed the prosecutrix I had taken a person answering the description she had given—I took him in Windsor-street, leading out of Britannia-fields—I searched the house he lodged at, but found no flannel jacket.

Cross-examined. *Q.* Was the description given as a man in a flannel jacket? *A.* The features of the man and the stoutness answered the description—he was described as five feet eight inches, rather stout and a fresh complexion—the description was a man in a white jacket—the prisoner had not on a white jacket when I apprehended him—I have no recollection of ever seeing him before—he had on the jacket he has on now—he was also described as having on dark striped trowsers and a dark waistcoat—he had a dark waistcoat on—the description given to me was dark striped trowsers—I searched the house in Windsor-street for a white jacket, but found none—I have made inquiry about to find out any body who had seen the prisoner in a white jacket, but I have brought no evidence of the sort.

MR. BALLANTINE. *Q.* Could you meet with any body who had seen him on this particular night except the persons who gave you the information? *A.* No—they sated he had a white jacket.

MR. PRENDERGAST. *Q.* When you searched the house, were not his brother and sister-in-law there? *A.* Yes, on the 17th—I took him on the 16th.

COURT. *Q.* Had you any knowledge where he lived when you first took him? *A.* I did not know the number—I knew he lived in Windsor-street—I took him on the night of the 16th, and did not search the house till between two and three o'clock on the afternoon of the 17th—any body might have got rid of a jacket in the mean time.

MR. PRENDERGAST *called*

RICHARD CHANDLER. I remember the day in question—I will swear my brother was at home that day—he could not have been out without my knowledge—I know it, for a man was to call in the evening and leave us a card for some linen-drapery, and my wife said to me and my brother, "I wish you and your brother would do the work in the other room, as it makes the room in such a mess"—I am quite certain he did not leave the house that evening—he was at work with me all the evening—I work for Mr. Palliser, nearly opposite Cross-street, in Upper-street—there had been a *strike* there on the Monday before the Thursday, which made me busier than I had been for some time—my brother never had any white jacket—I never saw him in such a dress—I never saw him with a pistol, nor heard of it—he never wore any other coat but the one he has on now for months, neither on Sunday or work day—I heard my brother was at the station-house on Tuesday morning.

COURT. *Q.* What time did he go out on the Monday? *A.* Past ten o'clock at night—he was merely gone out to have a pint of beer after he did his work—I never heard any thing of him till next morning.

ANN CHANDLER. The prisoner was at home with us on the Thursday evening after Ash Wednesday—he was at work with my husband all the evening I am confident—I never knew him have a white jacket—he has a blue coat and trowsers which he has pledged—the policeman took the ticket of that dress out of his box.

JAMES DEAR *re-examined.* I found the ticket in the box, and traced the clothes, I found no white jacket.

ANN CHANDLER *continued.* I never knew him have a pistol, nor any thing of the kind.

COURT. *Q.* How many brothers has your husband? *A.* Two living—the other lodges with his brother-in-law, in Prospect-place, Liverpool-road—he is older than the prisoner—he is a travelling cheesemonger—he travels about with a horse and cart—he lives with Mr. Mallett—there is a little resemblance between him and the prisoner—I do not think they might be mistaken for each other—the Liverpool-road is about ten minutes' walk from Windsor-street—I should not think it is more than five minutes' walk from Canonbury-field.

GUILTY.

1073. ROBERT CHANDLER was *again* indicted for stealing, on the 16th of March, 1 shawl, value 14*s.*; and 1 handkerchief, value 6*d.*; the goods of Henry Robert Bradbear; from the person of Hannah Bradbear.

HANNAH BRADBEAR. I am the wife of Henry Robert Bradbear, and live in Vine-place, Tabernacle-square, Old-street-road. On the night of the 16th of March I was intoxicated, and recollect myself last at the station-house—before that I was going up the New North-road—I was only in one gin-shop—I do not know the name of the house—I was alone—this shawl and handkerchief are mine—(*looking at them*)—I had them on that night.

Cross-examined by MR. PRENDERGAST. *Q.* You do not remember whose company you were in at all? *A.* No—the first house I was in was the public-house in the New North-road—it was eight o'clock when I left home

it was a very fine night, and I took a walk—I had not seen my husband day—I saw him the next day—I slept at home with him the night before I was not looking for him that night—I went by myself to the gin-shop very little made me drunk—I did not get into the company of one or two en—I was not in company with any man at all—I saw a man in the New orth-road—he did not do any thing with me—he spoke to me—I am sure cannot say what he said—I do not know where I went after that—that the last thing I recollect—it was after I left the public-house—I left the iblic-house sober—I do not know what the man said to me—he might uch me—I fainted when the policeman saw me—I could walk when I ft the public-house—I did not see the prisoner to know him—I saw him the station-house—the man I saw in the New North-road was not the risoner—that man did not stay long in my company—he only talked to e—he was with me about ten minutes—I walked with him—I do not now where to—I have no recollection afterwards—he was no friend of my sband's.

JAMES DEAR. I am a policeman. I saw the prosecutrix about twelve clock on the night of the 16th of March, with a shawl on, standing at ie end of Windsor-street, which leads out of Britannia-fields—in about wo minutes I saw the prisoner and another man accompanying her about ne hundred and fifty yards across the field—they were walking by her ide—one had hold of one side of her, and she appeared hanging on their rms for about one hundred and fifty yards in the field—the prisoner then eft her suddenly and ran away—the prosecutrix called out that he had obbed her of her shawl—I pursued and took him in Windsor-street, with the hawl and handkerchief, which I have produced, closely buttoned under his oat—I took him to the station-house—the prosecutrix was intoxicated—I ook her also to the station-house—I was in plain clothes—when I took he prisoner he said, "I suppose I have got your wife's shawl, but don't andle me"—he appeared perfectly sober.

Cross-examined. Q. Who was the other man? A. I do not know—I id not see the prosecutrix in the New North-road—she was about five inutes' walk from there. GUILTY.

1074. SAMUEL MULLARD was indicted for stealing, on the 1st of ebruary, 1 coat, value 3*l.*; the goods of William Griffith; to which he leaded

GUILTY. Aged 25.—Confined Six Months.

NEW COURT.—*Wednesday, April 8th*, 1840.

Fifth Jury.—Before Mr. Common Sergeant.

1075. GEORGE ANDERSON was indicted for stealing, on the 8th of larch, 1 dish, value 1*s.* 2*d.*; 4½lbs. weight of beef, value 2*s.* 8*d.*; and pudding, value 8*d.*; the goods of Matthew Targett: 2nd COUNT, stating hem to be the goods of Richard Pryke; to which he pleaded

GUILTY. Aged 14.—Confined One Month, and Whipped.

1076. CHARLES PORTER was indicted for stealing, on the 17th of larch, 1 tame fowl, value 2*s.* 6*d.*, the property of David Humphreys; and hat he had been before convicted of felony; to which he pleaded

GUILTY. Aged 77.—Transported for Seven Years.

1077. GEORGE AUSTIN PARKER was indicted for stealing, on the 9th of March, 1 box, value 6*d.*; 14 Jews' harps, value 4*s.*; 1 nail-brush, value 1*s.* 6*d.*; 1 coat, value 3*l.*; 1 waistcoat, value 16*s.*; and one pair of trowsers, value 6*s.*, the goods of George Eastwood; to which he pleaded

GUILTY. Aged 13.—Transported for Seven Years.—Isle of Wight.

1078. ISAAC EGGENTON was indicted for stealing, on the 20th of March, 22 yards of printed cotton, value 12*s.* 6*d.*, the goods of George Albert Chapman; to which he pleaded

GUILTY. Aged 19.—Transported for Seven Years.—Isle of Wight.

1079. ELIZABETH MARTIN was indicted for stealing, on the 12th of March, 2 pairs of trowsers, value 14*s.*; and 1 coat, value 1*s.*; the goods of Francis Russet; and that she had been before convicted of felony; to which she pleaded

GUILTY.*** Aged 70.—Transported for Seven Years.

1080. RICHARD GEORGE THOMAS HUGHES VANDERVILLE was indicted for stealing, on the 18th of March, 1 spoon, value 4*s.*, the goods of William Meymott; to which he pleaded

GUILTY.* Aged 14.—Transported for Seven Years.—Convict Ship.

1081. PAUL WESTON was indicted for stealing, on the 4th of March, 34lbs. weight of hay, value 6*s.*; 2 bushels of beans, value 8*s.*; and 1 sack, value 2*s.*; the goods of Thomas Kenrick, his master: and ABRAHAM MILLER, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

MR. PHILLIPS *conducted the Prosecution.*

GEORGE RIDGWAY. I am in the employ of Mr. Kenrick, of Brook Green farm, Hendon. On the 13th of March I was employed at the Oxgate farm, belonging to Mr. Kenrick—I loaded a load of hay on the cart at five o'clock in the evening—Weston was in the employ of Mr. Kenrick, and pitched me that load of hay—I backed the cart in the shed after binding it, and between eight and nine o'clock I went to the shed and saw the cart there, and found a truss of hay above the ropes that I had bound on the load—I had not put that truss on the cart—I also found a sack of beans about the middle of the load of hay, close under the truss—I went to London and informed my master—Giles, who was in Mr. Kenrick's employ, went back with me—I showed him the cart—I saw that cart about three o'clock the following day—Weston had it—he was starting to go to London—I walked behind and followed it—Weston stopped opposite the watering-trough at the Cock public-house at Kilburn, and I stopped—I heard the rattle of some beans, but was not close enough to see anything—Giles walked on—Weston was with the cart then—it stopped there eight or ten minutes—I was not close enough to see if Weston went on with it or not—I suppose he did—I was behind the cart a little distance—he did not come back and meet me—I saw a truss of hay lying on the ground near the water-trough—I searched and found a sack containing some beans placed under the gateway leading to the yard of the Cock public-house—I staid by the property till a policeman and Giles came—the beans in the sack were of the same kind as my master's—it was the same sack that I had seen the evening before—the hay that I found at the watering-trough was the same quality as my master's.

Cross-examined by Mr. BALLANTINE. *Q.* Are you in the prosecutor's

employ now? *A.* No, I left on the Saturday, because he did not want me—I was his carter—it was my duty to load the cart—Weston had not been with the cart more than once or twice—my master was not at the farm on that evening—Weston had orders to discharge me; he said he would not do it himself, but leave it to his master.

JAMES GILES. I am ostler to Mr. Kenrick. Ridgway came to town, and I went to the Oxgate farm—I saw the cart, and found a truss of hay on the top, and a sack with about two bushels of beans—I made a mark on the sack—Weston came to the cart after I left it, and I saw him coming down the lane with it—Ridgway and I then followed him to the Cock public-house at Kilburn—when I heard the cart stop I walked on, and when I got opposite the cart, about seven yards from it, I turned round—I saw Weston get on the cart, and put down the hay and beans—he then got down, took the beans, and carried them under the gateway eight or nine yards off—he then went to his horses and went on towards London—I waited about an hour and a quarter, and then I saw a policeman with Miller in custody, and the hay and beans—I went to the station-house, and then went on to my master's and gave information—this is the sack that I saw—here are three marks which I made on it with my knife.

Cross-examined by MR. PAYNE. *Q.* Where were the sack and beans left? *A.* In the covered gateway leading to the Cock public-house—I believe there are some cottages behind the Cock public-house.

WILLIAM TUCKER (*police-constable S* 129.) I was on duty at Kilburn—the two witnesses pointed out to me the hay and beans—I watched and saw Miller come and take up the sack of beans and carry them into the Cock public-house yard; as soon as he saw me he dropped them—I walked up to him and asked what he had dropped there—he said "Nothing," I said I saw him drop a sack with beans in it, and then he said he had dropped it—I asked him what he was going to do with them, he said he did not know—I believe he is a labourer—I took him to the station-house, then went to the prosecutor's yard, in Oxford-street, where I saw Weston loading a cart with manure; his master gave him into custody and told him it was for leaving hay and beans at the Cock public-house—he said he left it there to bait his horses on returning back to the farm—he had three horses in his cart—I found five pecks and three-quarters of beans in the sack.

Cross-examined by MR. PAYNE. *Q.* Did you see Miller come out of the Cock public-house garden? *A.* Yes, he came out from one of the cottages there.

THOMAS KENRICK. I keep a livery-stable in Oxford-street, and own the farms that have been spoken of. Weston and his wife lived at Oxgate farm, he had the care of the premises, and all the things there were under his care—he came on the day stated to Oxford-street, from Oxgate farm, which is five miles from town—the horses are never baited on the road—they are baited and watered in town for two or three hours while the men unload the cart and load the manure—Weston had no right or authority from me to take beans or hay from my farm under pretence of baiting the horses on the road—he came to my yard that morning about five minutes past five o'clock—the policeman afterwards came and told me what he had been doing—I took him to Weston, and said "Weston, how could you for shame of yourself, after I have trusted you with all my property, rob me?" he said he had not robbed me—I said, "What did you do with the

beans and hay?" he said he had brought them to bait the horses—I said, "Did you ever know of any food being brought for the horses before?" he said, "No"—the value of this hay is about 4*s.* 6*d.*, and these beans about 8*s.*—I do not know that I ever told Weston not to bring food for the horses.

NOT GUILTY.

1082. THOMAS HANSON was indicted for stealing, on the 4th of March, six feet of lead pipe, value 2*s.*, the goods of James Ramsey, and fixed to a certain building there situate.

JAMES RAMSEY. I live in Fox's-lane, Shadwell. The house, No. 5, Peel-alley, belongs to me—I saw the water pipe there fixed on the 3rd of March, about two o'clock in the day—it was taken away that evening, and has not been found since.

ELIZABETH MUGGERIDGE. I live next door to No. 5, Peel-alley. On the 4th of March, about a quarter before seven o'clock in the morning, I saw the prisoner come through my passage, out of the yard, with a bundle, but I was not dressed and could not follow him—about a quarter-past seven o'clock the same evening he came through my passage again, going into the street—I opened my room door, collared him, and asked what he did there—he made me no answer—I pulled his jacket aside and saw under it a roll of lead—he pulled me outside and dragged me for three doors, I was then fatigued and let him go—I had seen the pipe safe that day, and when he was gone I missed it.

ANN WILLIAMS. I saw the prisoner in the yard on the 4th of March pulling the pipe out of the ground.

Prisoner. I know nothing about it.

GUILTY. Aged 19.—Confined Six Months.

(There was another indictment against the prisoner.)

1083. LOUISA BOWLES was indicted for stealing, on the 23rd of March, 1 shawl, value 6*s.*, the goods of Thomas Martin.

JOHN MERCER. I am assistant to Mr. Thomas Martin, a pawnbroker on Snow-hill. On the 23rd of March, about ten minutes past two o'clock, the prisoner and another girl came into the shop—the other offered an article to pledge, which I refused to take—as they were going out the prisoner pulled down this shawl, and ran off—I overtook her about twenty yards off, and took this shawl from her.

Prisoner. The other girl pulled it down, and gave it to me when I came out. *Witness.* No, the other girl came out before you.

GUILTY. Aged 15.—Confined Ten Days.

1084. JOHN PUZEY was indicted for stealing, on the 16th of March, 1 coal-scuttle, value 3*s.*, the goods of George Cole.

JOHN SCOTNEY (*police-constable T* 180.) On the 16th of March, about half-past eight o'clock, the prisoner passed me at Hillingdon with something in his hand—he went towards a stile—he stooped, put down something, and then got over the stile—I went and found this coal-scuttle, which I know had not been there before—I looked over the stile, and saw him lying on the ground—I got him up, and said, "Is this your coal-scuttle?"—he said, "Where is *Jack?*"—he afterwards said he had been drinking at Morris's beer-shop.

Cross-examined by MR. PAYNE. *Q.* Had you known him by sight? *A.* Yes—he had been employed by the Western Railway—this was close

to the railway—I believe there had been a stag turned out that day—I took him again in about half-an-hour on West Drayton-green, drunk, and when I first saw him he was rather the worse for liquor.

JOHN SKINNER. I am servant to George Cole—he keeps the Dubourg Arms public-house—this coal-scuttle is his—I saw it safe on the 16th of March—I saw the prisoner there.

Cross-examined. Q. Did you not see him go away? A. Yes—I saw nothing with him. NOT GUILTY.

1085. WILLIAM JONES was indicted for stealing, on the 21st of March, 1 coat, value 1*l.*, the goods of William Cunnington.

WILLIAM CUNNINGTON. I live in North Audley-street. I left my master's cart in Newgate-street on the 21st of March, and left my coat on the horse's back—I returned in about ten minutes, and it was gone—this is it (*looking at it.*)

THOMAS BAKER. I live in Princes-street, Lisson-grove. On the 21st of March, about seven o'clock, I saw the prisoner and two more in Newgate-street—I saw the prisoner go and take the prosecutor's coat, and run away with it—I could not follow, as I am lame, but I gave information, and he was stopped in Giltspur-street.

RALPH GRIFFIN (*City police-constable, No.* 438.) I was in the station-house, Giltspur-street. I heard an alarm, and ran out—the prisoner had then been stopped, and I took him—this coat was brought to me—he said he did not have it.

Prisoner's Defence. I know nothing about it.

GUILTY.* Aged 16.—Confined Six Months.

1086. JOSEPH KELSEY was indicted for stealing, on the 28th of February, 2 coats, value 30*s.*; 1 handkerchief, value 1*s.*; 2 pieces of tape, value 6*d.*; 1 hat, value 5*s.*; and 1 pair of gloves, value 6*d.*; the goods of Thomas William Green: and 1 coat, value 8*s.*, and 1 hat, value 4*s.*, the goods of James George Routledge.

THOMAS WILLIAM GREEN. I live in Chandos-street. On the 28th of February I went to Messrs. Willis and Co., in St. James's-street—I left my coat and hat at the end of a board, where the porters brush the clothes, between six and seven o'clock in the evening—I returned between nine and ten o'clock, and they were gone—my handkerchief is here, with a letter which was written to me from Liverpool, and two pieces of tape which were in my coat pocket.

Prisoner. Q. Can you identify all the articles? A. I can identify the handkerchief and the letter—I have once or twice corresponded with the writer of this letter—I cannot swear to his hand-writing—I swear to the letter, by its being directed to me, and it is written in blue ink—here is a mark on the handkerchief—I was at work in the front-shop, where the men work—the men are in the habit of going backwards and forwards for their jobs to the place where these coats were—I cannot say how many men were there then—there were more than twenty—I cannot tell how many of them had access to where the coats were—there is a little hole in one of the corners of this handkerchief, by which I know it—when the policeman came to me he did not show me this handkerchief, but only the letter—he showed me a handkerchief which was not mine, and the next day, when before the Magistrate, he produced this handkerchief—the place where these coats were is in a line with the front-shop—there are always

persons on the premises—they can see from the back to the front, but not from the front to the back—there are looking-glasses which reflect—it is not usual to take things out of the pockets of coats at that place, if coats were sent to be altered—I should not take things out of the pocket, but if any things were in the pockets they would be returned—I had not made use of the letter that day, but the lining of my coat was torn, and the letter went down between the seams—it could not have got out without being taken out—there is a narrow passage at the back of the premises which is no thoroughfare—there was a dog on the premises, but when he is not tied up he does not bark—he is not above two months old—he was in the back-room, but was not tied up—I think these articles were not secreted on the premises, as we looked for them for half an hour, as I did not like to go home without my coat—I and three or four more persons looked in every place where they might have been mislaid—there was a gas-light on the middle counter, and these things were placed at the end—when the persons were at work in the front they could not see these coats, as there is a projection just before you turn into the ware-room—the policeman showed me all the articles which were in my coat-pocket, except the gloves—I cannot say that they were in the pocket when the coat was stolen, they might have been taken by different persons.

COURT. *Q.* Do you believe this letter to be the same that was in your pocket that night? *A.* Yes, there were two pieces of tape in the pocket—I believe these are the pieces, but I cannot swear to them—I have no doubt about this being my handkerchief.

JAMES GEORGE ROUTLEDGE. I live in Newton-street, Holborn. On the 28th of February I was at work at Messrs. Willis's, in St. James's-street—I left my hat and coat in the porter's room, between two and three o'clock, and in the evening, between nine and ten o'clock they were gone—there was a bit of wool and some wadding in the pocket of the coat—the wool and wadding have been found—these are them.

Prisoner. *Q.* It is not an easy thing to swear to wool, is it? *A.* No; but I have a particular mark on this, this bit of green worsted—if the worsted was not on it I should not have known it—it is not tied to it, it is loose and mixed with it—here is no mark on this worsted—I do not know the wadding by the quantity nor colour—I bought it in Windmill-street, Haymarket, and had it about a fortnight—I use it in my business—I put it into my pocket at dinner-time—any thing might have been put in or taken out of the pocket, without my seeing it, when the coat was there—a great number of persons have access to where the coat was—I went in the back way—the door was open—there would be no difficulty in a person going and taking these things without being seen by the persons who were transacting business—these things were two or three yards from where the persons were—I was in the office, which is in front—I could not see the coats—I cannot say that this is all the wadding I had in my pocket—there was a very small dog there—I do not know whether they are in general more watchful than others—the dog was about a yard from where the coats were left—he did not bark at me when I went in—I did not search for my coat when I came away, but every part was searched—these articles might have been taken by a person without his taking the coats.

GEORGE WILLMOTT (*police-constable S* 142.) On Saturday, the 7th of March, about ten o'clock at night, I was in Elm-tree-row, St. John's-wood—

I saw the prisoner standing against the gate of No. 6—I asked what was his business—he said he was waiting for a boy who had gone in with turnips and greens—I waited some time, and no boy came—the prisoner was talking about the stars, what time I was relieved, and so on—he then wished me a good night, and went off—I rang the bell and made inquiry—I then went after him, and said I would take him to the station-house—he asked what for, he had done no harm—I took him—he kept eating some pieces of bread, and at the corner of North-street he dropped a lantern—a boy picked it up—he said it did not belong to him, but to the boy—I took the prisoner to the station-house, and found on him 8*d.*, a surgical instrument, two pieces of tape, this wadding, this letter, and some memorandums in his hat—I asked how he came by these things—he said a woman gave them to him—I took this handkerchief out of his hand, but by some means he got it again, and I took it again the next morning.

Prisoner. Q. Have you a good memory? *A.* Pretty fair—I had been on the beat seven or eight days before—I do not recollect seeing you before—I took you on suspicion of committing a felony—you were discharged for that, and, having these things on you, you were detained—I know No. 10, Elm-tree-row—I am not aware of any thing occurring to any of the members of that family that day—I saw a carriage come there between nine and ten o'clock—I cannot tell how long it remained—I am not aware of any ladies having come in it—I did not see it arrive at the door—you told me at the station-house that you had got some money from a lady who had come in a carriage—I went there the next morning, and ascertained you got 6*d.* for showing the house she wanted—I was told that night that some person was about there—they said they saw a big Irishman, who was gone into a stable—you said you were waiting for a boy at No. 6—I asked there, and ascertained that you were not—I saw a woman come to the door and give you something, and you were eating.

THOMAS WILLIAM GREEN *re-examined.* These memorandums are mine.

Prisoner's Defence. I was in Piccadilly on the 29th of February, and found these things rolled up in the handkerchief, I threw them in my hat just as I found them, and the officer found them on me in that state; I was in extreme distress, and that was the reason I applied for bread to the woman at No. 6; she gave me some, and I was eating it; I am a native of Dublin, I had only been in London two months, and having no employ, I was obliged to ask relief. NOT GUILTY.

1087. MARY WILSON was indicted for stealing, on the 10th of March, 1 waistcoat, value 5*s.*, the goods of Thomas Vesper and another.

RICHARD PAINTER. I was in the employ of Thomas and William Vesper, pawnbrokers. On the 10th of March this waistcoat was on the top of some beds outside the door—about four o'clock in the afternoon I received information, went out, and found the prisoner under an arch in Lucas-street, with this waistcoat.

Cross-examined by MR. PHILLIPS. Q. How long after you lost it did you find it? *A.* About five minutes—I pulled her cloak on one side, and saw it—she said she picked it up—she had not been in our shop—I did not see any body take it—I was attending to somebody else at the door, who was buying articles.

MARTHA SEAFORTH. I was near Mr. Vesper's shop, and I saw the prisoner

take a black waistcoat off two beds which were on a table outside the window—I gave information.

(The prisoner received a good character.)

GUILTY. Aged 52.—Confined Two Months.

1088. JOHN WILLIAMS was indicted for stealing, on the 18th of March, 1 coat, value 1*l.*, the goods of Edward Hoare: and 1 coat, value 2*l.*, the goods of Bransby William Powys; and that he had been before convicted of felony.

MR. JONES *conducted the Prosecution.*

ELIZABETH SAWYER. I am servant to Mr. Bransby William Powys, a solicitor, in Guildford-street. About seven o'clock, on the evening of the 18th of March, the prisoner knocked at the door—I answered it—he asked for a pair of trowsers to be repaired, and not knowing him, I asked where he came from—he said, "From Mr. Wilson's"—I asked him to come on the mat, while I went up to my master, leaving him there—I came down soon after—he was gone, and I missed two coats from the passage—I ran out, turned the corner of Everett-street, and saw him running with the coats, which he dropped after I called, "Stop thief"—he was stopped, and brought back—these are the two coats—(*looking at them*)—they were safe when the prisoner came—one of them belongs to Mr. Edward Hoare, who lives in the house, and the other to my master.

Prisoner. *Q.* What was I dressed in? *A.* The same clothes you have now—I can swear to your waistcoat and handkerchief—when you were brought back I was lying down, fainting—I can swear to you because I saw you running with the coats, and you dropped them, and you were brought back—the coats were in the house then, because I picked them up when you dropped them.

JOHN TERRY. I am a plasterer. I was in Everett-street, Russell-square, and saw the prisoner running with something, which I took to be cloaks or coats—I heard the cry of "Stop thief"—I followed him—he threw the coats in the kennel—I followed—he was taken at the corner of Coram-street, by a policeman—I did not lose sight of him till he was taken.

MICHAEL JACKSON (*police-constable E* 131.) I heard the cry of "Stop thief," and saw the prisoner running—I took him back to Mr. Powys's, the servant knew him directly.

Prisoner. *Q.* Did you not take me, and let me go? *A.* Yes, I let you go, and ran after another person, but I suspected you were the man all the time; your crying "Stop thief" made me think it was the other, but I took you again in two minutes—there was no one running before you.

WILLIAM CROMPTON SEVER (*police-constable B* 113.) I produce a certificate of the conviction of John Williams, which I got from Mr. Clark's office—(*read*)—the prisoner is the person who was tried by that name.

GUILTY. Aged 26.—Transported for Seven Years.

1089. WILLIAM SMITH was indicted for stealing, on the 19th of March, 1 glazed window-sash, value 18*s.*, the goods of William Rogers Dodsly.

WILLIAM ROGERS DODSLY. I keep a building-material yard in Old-

street-road, Shoreditch. On the 19th of March I lost a glazed window-sash—this is it—(*looking at it.*)

Prisoner. Q. Had you seen me on your premises? *A.* No. I lost twenty-five sashes in three weeks.

THOMAS ZINZAN (*police-constable N* 67.) In consequence of information, I watched the prosecutor's premises on Monday and the two following nights, at a quarter-past seven o'clock. On the 19th of March I saw the prisoner come down the yard, and look about some time very cautiously, he then drew this sash out, took it in his hand, and went away as fast as he could walk—I stopped him, he seemed confused—I asked what he was going to do with it—he said, at last, "To buy it"—I found 11½*d.* on him.

Prisoner's Defence. I came to a timber-yard where they sell old materials and marine stores; I stopped, looked down the yard, and saw some sashes lying there, I went down, and looked about, but did not see any one on the premises; I went to the shed, looked at four or five sashes, took out one old-fashioned one from the rest, took it about two yards, and laid it one side, thinking I had not sufficient money to pay for it, but if I and the prosecutor could have bargained, I would have left 6*d.* deposit. The policeman laid hold of me while I was going to the prosecutor's house to know the price.

GUILTY. Aged 33.—Confined Six Months.

1090. SARAH BENNETT was indicted for stealing, on the 8th of February, 2 coats, value 9*s.* 6*d.*; and one waistcoat, value 1*s.*; the goods of Henry Keesing, her master.

ROSETTA KEESING. I am the wife of Henry Keesing, a dealer in clothes, on Saffron-hill; the prisoner was my charwoman. I missed two coats and a waistcoat—I spoke to her about them—she told me she had taken them, and where she had pawned them—I told her it would be better for her to tell me—these are them—(*looking at them*)—I found them in consequence of what she told me—she cried very much, and said she had given the money to her mother.

RICHARD REEVES. I am a pawnbroker, in Gray's Inn-lane. I took in pledge, of the prisoner, this waistcoat for 1*s.* 6*d.*, one coat for 3*s.* 6*d.*, the other coat 3*s.*—she said they were her own—we did not know but what her father sent her—the names on the duplicates are Ann Calley and Ann Jones.

GUILTY. Aged 26.—Confined Three Months.

Sixth Jury, before Mr. Sergeant Arabin.

1091. WILLIAM WARREN was indicted for embezzlement; to which he pleaded

GUILTY. Aged 18.—Confined Six Months.

1092. LUCY GOOCH was indicted for stealing, on the 6th of March, 2 waiters, value 1*l.* 2*s.*; 3 pairs of snuffers, value 6*s.*; 1 pair of scissors, value 2*s.*; and 1 tea-pot, value 4*s.* 6*d.*; the goods of William Summers (since deceased); to which she pleaded

GUILTY. Aged 26.—Confined Three Weeks.

1093. THOMAS FRANCIS JAMES was indicted for forging and uttering a request for the delivery of goods.

THOMAS FOSTER. I am clerk to Henry Good, a wine-merchant, in

Queen-street. On the 3rd of March the prisoner delivered this order to me—I knew him before, in the service of Mr. James—I believed this order to be Mr. James's, and knowing him, I delivered to him half-a-dozen of wine, but that being an unusual order, I entered an order for a dozen—he called for the rest as he returned—he said he was going west—(*order read*)—"March 3, 1840. Sir, If you be so kind let the bearer have six bottles of sherry, the same sort as the last you sent us, you will oblige,

"W. & E. JAMES, 33, Fenchurch-street."

Prisoner. I was not in his house that day. *Witness.* He is the person who brought it, and I believe it was the 3rd of March.

EDWARD JAMES. I am a wine-merchant, in Fenchurch-street. I have sent once or twice to Mr. Good's, and had some sherry from him—the prisoner lived with me, but left about three weeks before the 3rd of March—I did not send him with this order—it is not my writing—he had no authority to go there.

Prisoner's Defence. This order was given me by another person to take to Mr. Good's for the wine.

GUILTY. Aged 22. Of uttering.—Transported for Seven Years.

1094. ELIZA JACKSON was indicted for stealing, on the 14th of March, 2 pairs of trowsers, value 15*s.*, the goods of William Henry Mills.

WILLIAM HENRY MILLS. I am a pawnbroker, and live in the Edgeware-road. About eight o'clock in the evening, on the 14th of March, I observed the prisoner about my door—shortly after the policeman came and asked me something—I went to the door, and missed a pair of trowsers—he ran—I followed and overtook the prisoner about fifty yards off—he picked up one pair of trowsers near her, and the other were in a basket—these are mine—(*examining them.*)

GEORGE BISHOP (*police-constable D* 30.) I was going up the road, and saw the prisoner pulling the things about—I went past, turned, and she was gone off in a hurried manner—I went and asked if the prosecutor had lost any thing—he said, "Yes"—I pursued, overtook her, and put my hand on her shoulder—she turned, and said, "It is all right, they were given me"—she threw one pair away, and they fell into a basket of turnip tops—the other she dropped under her cloak—she then said she was in distress, and had taken them.

Prisoner. I never said they were given me.

GUILTY.* Aged 32.—Transported for Seven Years.

1095. ELIZA WHITE was indicted for stealing, on the 19th of March, 3 handkerchiefs, value 7*s.*, the goods of James Bailey and another; to which she pleaded

GUILTY. Aged 26.—*Recommended to mercy.*—Confined Three Months.

1096. THOMAS PADDINGTON was indicted for embezzling, on the 15th of July, 9*l.* 13*s.* 4*d.*, and on the 18th of July 1*l.* 3*s.* 4*d.*, the monies of Peter M'Intosh and another; to which he pleaded

GUILTY. Aged 21.—*Recommended to mercy.*—Confined Six Months.

1097. THOMAS PECK, RICHARD WHITAKER, and RICHARD MARTIN were indicted for stealing, on the 10th of March, 5 planes, value 8*s.* 9*d.*; 1 gauge, value 4*s.*; and 1 gimlet, value 2*s.*; the goods of William St. John: 5 planes, value 16*s.*; 1 chisel, value 4*s.*; 1 spoke-shave, value 1*s.*; the goods of John William Bell: and 1 looking-glass and frame, value 1*l.* 5*s.*; 2 pieces of plate-glass, value 1*l.*; 1 drawer,

value 18*s.*; 1 gas-burner, value 5*s.*; and 5 feet of lead pipe, value 1*l.*, the goods of James Slatey.

JOSEPH STALEY. I am foreman to my brother, who is a builder. I and other workmen were employed at an empty house in Fann-street, in the City—we left our tools there, and locked them up on the 9th of March—we lost all that we left there—I know the men that were employed there—they left their tools in the original club-room—we all left together.

WILLIAM ST. JOHN. I was at work at this house on the 9th of March—about half-past six o'clock I left my tools locked up—when I went again on the 10th, at half-past seven o'clock, I found the house broken open, and that the person had got in by breaking the glass in the window behind—my tools were gone—these are what I lost—(*looking at them.*)

Cross-examined by MR. PAYNE. *Q.* What day was it that you left them locked up? *A.* Monday, and missed them the next morning—I know them by some marks on them.

JOHN WILLIAM BELL. I am a carpenter. I was at work there, and left there on the 9th of March—I lost some planes and other things—they are all found—I know these are mine—I made them myself—(*looking at them.*)

THOMAS EVANS (*City police-constable, No.* 81.) I was on duty on the 10th of March, between eleven and twelve o'clock in the morning—Staley gave Whittaker and Martin into my custody.

J. STALEY *re-examined.* I had been informed that they were the parties, and for that reason I gave them in charge.

PHILIP NEALE. I am a sofa-maker. On Tuesday morning, the 10th of March, the prisoner Whitaker brought three planes, a pair of pincers, a spoke-shave, and gauge to me, and said he had got a great many more tools that he would bring down at night—I said, "Let me look at the lot"—he would not let me have them without money—I let him have half-a-crown, for I had no one at home—the other two prisoners came in directly after him, and they all shared 10*d.* a-piece—I then went to the station-house, and stated this to the policemen—two policemen came and stopped in my shop in the evening—Peck came to my shop in the afternoon, and was taken—he said the other two could not come, as they were taken up for tossing up on the ruins.

Cross-examined. *Q.* Are you in the habit of buying planes? *A.* Never—I do not know why they came to me—I never bought any tools—I told Whitaker if he would bring them at night I would look at them—I did not ask him if he had any more—I live in Bond's-place, Golden-lane—Whitaker brought these things in an apron, and wanted 4*s.* for them—I said I would give half-a-crown till they brought the others—I did not say I would purchase them altogether—they asked each other if they should take half-a-crown—this is my hand-writing—it was read over to me—(*looking at his deposition*)—I did not ask them if they had any more.

JURY. *Q.* What time took place between your buying the tools and giving information? *A.* A quarter of an hour.

COURT. *Q.* Did you give them the half-crown? *A.* Yes, and Martin had some money in his pocket—he took it and divided it—they made it right, 10*d.* a-piece—I do not know in what money the 10*d.* was given.

ELIZABETH HALL. I am the wife of Charles Hall, of Great Arthur-street, St. Luke's—Whitaker's mother lodged in a room of mine—I went to show the room to a person, and found some tools in a cupboard—I brought them away, and gave notice to the officer.

Cross-examined. Q. What were they? A. Six planes and a small tool, two plate glasses, and a looking-glass—Peck and Martin had nothing to do with this room.

JAMES BRANNAN (*police-sergeant G* 20.) On the 10th of March, between five and six o'clock, I went to Neale's house, and received six carpenter's tools, and left them at the station-house—I went back to Neale's, saw Peck coming, and took him—on his way to the station-house he said, "If I tell you all about it, will you let me go?"—I said, "No, if you say any more I shall use it as evidence against you"—I then went to Mrs. Hall's and found the other tools, and glasses.

ROBERT COLE. I saw the prisoners all together with another boy, about a hundred and fifty yards from where the robbery took place, about half-past seven or eight o'clock on the night that the tools were stolen, in deep conversation together.

Whitaker. It was an empty room in the house where I lived, that the things were found.

(*Property produced and sworn to.*)

(Martin and Peck received a good character.)

PECK—GUILTY. Aged 15.—Confined Three Months.

WHITAKER†—GUILTY. Aged 17.—Transported for Seven Years.

MARTIN†—GUILTY. Aged 17.—Confined Six Months.

1098. GEORGE BEARD and THOMAS BENNETT were indicted for stealing, on the 7th of March, 1 handkerchief, value 1*s.*; and 1 watch, value 2*l.*; the goods of Charles Pearson, from his person.

CHARLES PEARSON. I am a messenger and constable of the Provident Institution, in St. Martin's-lane. On the 7th of March, about one o'clock in the day, I met with a soldier, who was a stranger to me, but I treated him, and he took me to the Canteen in St. George's barracks—I there met with some more persons—Bennett was one of them—we went to a public-house, which I think was the White Lion, in Hemming's-row—we there met some other soldiers—they had two or three pots of ale—I did not drink—I am not certain where I met with Beard, but he was there—I then went with the two prisoners to Long-acre, to the Windsor Castle public-house—we had a pot of ale there—I cannot say who paid for it, as I was so much excited by their manner, and by their putting their hands into my pockets, when I told them not—they asked me to pay for beer—I said I had no money—I had had 9*s.* or 10*s.* when I went out, and all that I had spent in drink which I gave away, and had nothing but water myself—the prisoners felt me about—I wished them to desist, but I did not call out—there were some men and boys at another table—Beard at last robbed me of my watch by force, and at the same time Bennett took my handkerchief out—Beard told me he would go and pawn my watch, and he went out with it—I went home as soon as I could.

Cross-examined by MR. PAYNE. Q. This was in the middle of the day? A. Yes—it was a foolish fancy of mine to treat them.

RICHARD COLEMAN. I am a pawnbroker. I took in this watch from a soldier, but I cannot say who.

NOT GUILTY.

1099. DAVID KELLY was indicted for stealing, on the 27th of March, 1 handkerchief, value 2*s.*, the goods of George West, from his person.

GEORGE WEST. I am a mast-maker, and live in Wapping. On the 29th of March, about one o'clock, I was at the corner of Red Lion-street,

Wapping—the prisoner and another lad tried to get in between me and a friend, and I felt something *shove* against my arm—I put my hand to my pocket, and missed my handkerchief—the other lad started off—I seized the prisoner, and he gave me my handkerchief.

Prisoner's Defence. I picked it up.

GUILTY.* Aged 19.—Confined Six Months.

1100. RICHARD HARRISON was indicted for stealing, on the 14th of March, 9lbs. weight of bacon, value 7*s.*; 1 mat, value 3*s.*; and 1 cape, value 1*s.*; the goods of Thomas Elam.

THOMAS ELAM. I am a rope mat-maker. On the 14th of March I was in Bird-cage-walk, Bethnal-green, with a horse and cart—I had this mat rolled up, and a piece of bacon tied up in brown paper—I left my cart for a short time, and when I returned the bacon and mat were gone—this is the mat (*looking at it.*)

GEORGE TEAKLE (*police-sergeant H* 8.) On the 14th of March, about half-past twelve o'clock, I was in Bird-cage-walk, and fell in with the prisoner, who had a long cape on—I opened his cape, and found this mat rolled up—he said he had bought it of a man a little higher up—I went with him to see who it was—he took me a long way, till he came to a person standing at a door, and said that was the man he bought it of, and gave 1*s.* 6*d.* for it—the man denied all knowledge of him, and said he had not seen him—the prisoner then said he should answer no more questions, and threw the mat down—I took him to the station-house.

Cross-examined by MR. PHILLIPS. *Q.* You took him to where he said he bought it? *A.* Yes, and I took the man he pointed out, to the station-house, but he was let go—the bacon has not been found, but there was another man with the prisoner, who had a parcel under his arm.

(The prisoner received a good character.)

GUILTY. Aged 22.—Confined Three Months.

1101. MARY WATSON was indicted for stealing, on the 10th of March, 9 yards of printed cotton, value 6*s.* 9*d.*, the goods of Thomas Butler; and that she had been before convicted of felony.

EDWARD LLOYD. I am shopman to Thomas Butler, a linen-draper in Shoreditch. On the 16th of March the prisoner and another came in, and one of them asked the price of a dress in the window—they then wished to look at some other dresses—I gave them seats, and placed four dresses before them on the counter—they then wished to look at a shawl pattern which was in the window, and when I came back I missed one off the counter—they then looked at some others, selected one, and left 1*s.* deposit on it—I made them a bill, and gave them a receipt for the 1*s.*—they wished me good afternoon, and went to the door—I went after them—the prisoner heard me behind her, and she turned back, and said, "Oh dear, I have got a dress I have not paid for"—I insisted on her dropping it—she tried to throw it on the counter, but it fell by the side—this is the dress.

Cross-examined by MR. CLARKSON. *Q.* Do you keep what is called a tally-shop? *A.* No, but we take a deposit on any article which a person looks at—the prisoner turned round with this dress just as I was going to catch hold of her—she said afterwards she would pay for it.

EDWARD HUTCHINGS (*City police-constable, No.* 85.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person who was then tried by the name of Newton.

GUILTY. Aged 25.—Transported for Seven Years.

OLD COURT.—*Thursday, April 9th,* 1840.

Second Jury, before Mr. Sergeant Arabin.

1102. JOSEPH EDWARDS was indicted for stealing, on the 12th of March, 1 coat, value 60*s.*; 1 silver bird, value 5*s.*; 2 inches of chain, value 2*s.* 2*d.*; and 2 sovereigns, the property of John Joseph Janson: 4 spoons, value 32*s.* 6*d.*; 1 pair of ear-rings, value 40*s.*; 1 necklace, value 12*s.*; 1 buckle, value 10*s.*; 1 pair of bracelets, value 7*s.* 6*d.*; 1 ring, value 12*s.*; 2 knives, value 2*s.*; 1 sovereign, 3 shillings, and 7 groats, the property of Charles Allen Wilday, in his dwelling-house; to which he pleaded GUILTY.† Aged 24.—Transported for Ten Years.

1103. THOMAS DANDY was indicted for stealing, 2 coats, value 3*l.*; 3 pairs of trowsers, value 1*l.*; 2 waistcoats, value 10*s.*; 1 pair of boots, value 5*s.*; 1 pair of shoes, value 2*s.* 6*d.*; 1 handkerchief, value 1*s.* 6*d.*; and 2 pairs of socks, value 1*s.*; the goods of John Lawrence: and 24 spoons, value 22*l.*, the goods of Mary Hewlins, his mistress, in her dwelling-house; to which he pleaded GUILTY.* Aged 26.—Transported for Fifteen Years.

1104. THOMAS RATTIGAN was indicted for burglariously breaking and entering the dwelling-house of Robert Bruce Chichester, on the 3rd of April, at St. Marylebone, about the hour of three in the night, with intent to steal, and stealing therein, 1 soup-ladle, value 3*l.* 10*s.*; 2 spoons, value 1*l.* 13*s.*; and 1 fork, value 1*l.* 6*s.*; his goods.

MR. PHILLIPS *conducted the Prosecution.*

JAMES NOBLE. I am a policeman. I was on duty on the morning of the 3rd of April, and, about three o'clock, discovered some dirt on the lock of Mr. Chichester's area-gate, at No. 11, Lower Seymour-street—I had seen the gate at half-past one o'clock—it was all safe then—in consequence of seeing the dirt on the lock I looked into the area, and saw some things there—I rang the bell—the maid-servant came and let me in—I went down with her and another constable, and behind the area door, in the passage leading to the kitchen, saw the prisoner, without his coat, hat, or shoes, which I found afterwards in the area—I asked him how he came there—he said, "I don't know"—I said, "How did you get in?"—he said, "I am fastened in"—I said, "How came your clothes outside?"—I was going to open the door to fetch them in—I found the window-shutter of the housekeeper's room pushed open, and the bottom sash pushed up at its full height—the bar was forced out of its place, by which a man could get into the house—the housemaid came down, we went up stairs into the back-parlour, and found the plate-drawer standing partly open—I saw a quantity of plate in the drawer, and as some things were missed from it, I looked, but could not find them myself—I told the prisoner he must go to the station-house—he said, "This is a b— bad job; I never was in custody before, but they cannot hurt me; have they lost any thing?"—I said, "Yes"—he said, "Can't they find it?"—I said, "Not at present"—he said, "I came all the way from Brentford; I could not get a lodging, and thought I would come and sleep here the remainder of the night, and tell the maids about it in the morning"—I found a knife and three keys on him.

LUCY WILSON. I am cook to Mr. Chichester. I came to the door when the bell rang, and let the policeman in—I saw the prisoner when he was found—I said to him, "Is that you? what a shame!" he made no answer—the policeman said, "Do you know him?"—I said, "Yes; he lived here as butler"—when he lived there he had charge of the plate, which was always taken up and put in a drawer in the dining-room at night—he was three weeks in master's service, and had left some time.

MARY TARGRETTE. I am housemaid to Mr. Chichester. About nine o'clock at night I was in the housekeeper's room—the shutters were shut then, and all fastened up, and the bars secure—I put the plate all in one drawer that night, I am certain, the articles in question among others—I was present when these things were found in another drawer adjoining the plate-drawer, not in the drawer I put them in—the prisoner knew where the plate was kept at night.

ROBERT BRUCE CHICHESTER, Esq. The prisoner has been in my service—I was gone to Gloucester, on the Circuit—this is my plate—I should think it was worth about 4*l.*—I have not calculated the value—the house is in the parish of St. Marylebone—it is my dwelling-house—I received a most excellent character with the prisoner—he had left my service last Saturday week.

Prisoner's Defence. I came from Brentford that night, and certainly entered the house, but not with intent to pilfer the articles; I never went up stairs at all; I did not know where to go, and thought I might as well stop there till the morning.

GUILTY. Aged 31.—Transported for Fifteen Years.

Before Mr. Justice Littledale.

1105. GEORGE FITZGERALD was indicted for feloniously uttering, on the 12th of October, a forged 10*l.* note, with intent to defraud the Governor and Company of the Bank of England. Other Counts, varying the manner of laying the charge.

SIR FREDERICK POLLOCK *with* MESSRS. ADOLPHUS *and* BULLOCK *conducted the Prosecution.*

JOSEPH ARMSON. In October last I was in the employ of Henry Heath, a hatter, at No. 393, Oxford-street. On Saturday night, the 12th of October, I was in the shop—the prisoner came in, dressed as a butcher, in a blue frock, knee-breeches, and three-quarter boots—he looked like a butcher—he asked to look at some hats, which I shewed him—he chose two, which came to 17*s.* each—I never saw him before—he gave me a 10*l.* Bank of England note, as I thought—I gave it across the counter to Mr. Heath, and he gave him change, while I got the hats ready for him—I asked him if we should send them home for him—he said he had his horse and cart waiting outside, and he took them away in his hand—I looked out at the door—there was no horse or cart near, right nor left—I have not the least doubt of his being the person.

Cross-examined by MR. PHILLIPS. Q. Saturday is a busy night, is it not? *A.* It is sometimes—I can ot say how many persons were in the shop on that occasion, but we were busy at the time—there was one other shopman attending and my master too—the prisoner had his hat on when he came into the shop—it was about five months afterwards when my attention was called to this transaction—I had never seen him before the night in question—it was from half-past eight o'clock to half-past nine

when the prisoner came—it was between eight and ten o'clock—I cannot say whether it had struck nine—it may have been before nine—I know it was past eight, because the mail-carts, which always go up the street at eight, had been gone some time—it must have been as near nine as possible.

MR. ADOLPHUS. *Q.* Is it usual for a man to come in and buy two hats and pay a 10*l.* note for them? *A.* It is not—he tried both hats on—I gave them to him—he put them on himself—I saw him put them on—at that time my attention was particularly fixed on him—I knew him again directly I saw him, at the end of the five months—I never had the least doubt of him.

HENRY HEATH. I am a hatter and live in Oxford-street. On Saturday night, the 12th of October, I was in my shop and saw the prisoner—I know him perfectly well—I knew him seven years ago, and after the examination I recollected him perfectly well—I believe him to be the man who I received the 10*l.* note from—it was a person I believe to be the prisoner—he was dressed in a blue butcher's frock, with black boots up to his knees—Armson served him with two hats—I received a note across the counter for change—Armson and the prisoner were on the other side of the counter—I do not know whether it was from Armson or the prisoner—I marked it "Butcher 12. 10. 39. H H," this is the note—(*looking at it*)—I gave the prisoner the change, and requested to send the hats home, he said he had his cart waiting and would take them.

Cross-examined by MR. PHILLIPS. *Q.* Were you not very busy at the time? *A.* We were busy, I should say we had three or four customers—we had more customers than we could attend to—I cannot speak to the time within a quarter of an hour, it was about nine o'clock.

WILLIAM CORLEY LARKCOMBE. I keep the City of Quebec public-house, No. 237, Oxford-street. On the 12th of October last, about half-past six o'clock in the evening, the prisoner came in, I know him to be the man, he had another person with him—he went into the public parlour, called for brandy-and-water and two cigars—he remained there an hour I should think—he had three or four glasses of brandy-and-water—I think it was three—when he was leaving he came to the front of the bar and joined a third person—he was drinking brandy-and-water with the man who came in with him in the parlour—when he came to the front of the bar they had each three glasses of raw brandy—the prisoner gave me a 5*l.* Bank-note as I thought, and I gave him 4*l.* 14*s.* change—I asked him what name I should say—he told me his name was Jones, that he had been a butcher in King's-road, Chelsea, but was out of business at that time—I put the note in my cash box on the Sunday morning—I put it in a large glass behind me at first, where I put my notes and gold which I take—I had no other 5*l.* note at that time—I parted with the note on the Tuesday following—I am sure the note I paid away then was the same I received from him—my wife was present when the prisoner was at our house—I paid away the note to John Harris, collector to Mr. Gardener the brewer, and he wrote my name on it in my presence—this is the note—(*looking at it*)—on the Friday following, the 18th, it was returned to me as forged—the prisoner was dressed in a butcher's blue frock coat, knee breeches, and black boots—I have not a doubt of his being the person.

Cross-examined by MR. PHILLIPS. *Q.* You see no difference at all in him? *A.* Very trifling, I thought he had rather larger whiskers at that

time than when I saw him at Marlborough-street—I had never seen him before—we have plenty of customers—a great many strangers come—it was about five months after that I saw the prisoner at Marlborough-street—I was told a person was taken up on a charge of passing forged notes, and I went and pointed him out among other prisoners—my wife was not before the Magistrate—she was not in the room—she was in the bar, and she might partly serve them—I had a boy attending to the room—he attended to them as well as others—he has left me now—he told me he was going to see his mother at Yarmouth—the persons remained in my house rather more than an hour—they were gone before eight o'clock—they came at half-past six o'clock—it had gone six, I am certain—I believe it was about half-past six—I will not swear it was a quarter after six, but it was past six, I am certain.

Sir F. Pollock. *Q.* How many persons was he among when you identified him? *A.* I suppose there was twenty in the lock-up room—I had no intimation given me which was the person charged with uttering the forged notes—he was dressed then in a cut-off dress coat, not a blue frock—the boy left my service four months ago.

Susannah Larkcombe. I am the wife of the last witness. On Saturday night the 12th of October the prisoner was at our house—I am certain of him—I saw him come in and go into the coffee-room—I cannot say the time—I know it was dusk when he came to the bar—I did not go into the coffee-room—the gas was alight—when he came to the bar—there was a tall person with him—the prisoner was dressed in a butcher's frock-coat—I served him with some brandy at the bar—they had four or five glasses—I sometimes served it, and sometimes my husband—it was served out of a bottle—I noticed that he took a good deal of snuff at the bar, and that his hand was very delicate for a butcher—he gave my husband a 5*l.* note, and my husband gave him change—the note was put on the chiffonier behind the bar—I cannot tell whether it was put into any thing.

Benjamin Ward. I am marker at the Billiard-room, 19, Earl's-court, Leicester-square. I have known the prisoner five or six months—I saw him in December last, about a fortnight before Christmas—he came up into our billiard-room with a man named Sowden, who I know—they got playing at dice, and the prisoner lost some money—he offered a 10*l.* note to Sowden to change—he said he could not change it, and said, "Give it to Ward and he will get it changed"—the prisoner gave it to me—I took it over to Mr. Ward, at the King's Arms public-house, Castle-street, to ask him to change it—I should know the note again—this is it—(*looking at it*)—I having written on it "Sowden and Phipps," which is the only name I knew the prisoner by—I wrote that before Mr. Ward gave me the change, the same evening, as Mr. Ward asked me to write a name on it—I received the change from Ward, brought it back, and gave it to the prisoner.

Cross-examined by Mr. Phillips. *Q.* The prisoner's person was well known to you, and yours to him? *A.* Yes—I had seen him frequently during two or three months—I cannot tell how much he lost that night—I did not see him again for a month or two afterwards, when I was sent for to Mr. Ward's—I then saw him in the bar—he had been in the habit of frequenting the room and playing for two or three months before, winning and losing.

Sir F. Pollock. *Q.* You had known him some months before that night? *A.* Yes—I did not exactly know his name—I knew him by their calling him Phipps—I knew his person perfectly well—he used to come

about once a week to the billiard-room before this—he never came afterwards.

WILLIAM WARD. I keep the King's Arms public-house, in Castle-street, Leicester-square—(*looking at a note*)—I remember changing this note in December last—I have not the least doubt of its being the same—I gave change for it to Ward, the marker—it was in the middle of December—I cannot give the exact date.

Cross-examined by MR. CLARKSON. Q. Had you seen the prisoner before that? *A.* Yes, frequently, and afterwards too—he used to come to my house as a customer, two or three times a week.

JOHN WOOD DEAN. I am inspector of notes to the Bank of England, and have been so upwards of thirty years—I have carefully examined this note, uttered at Heaths—it is forged in all respects—it is not Bank of England paper—it is not printed from a Bank plate—it has not the water-mark issued by the Bank of England, and the name of the signing clerk is forged—I have also examined the 10*l.* note uttered to Ward—it is in all respects forged—I have compared the two 10*l.* notes together, and find they are struck from the same plate—they have the same name signed to them, and they are almost consecutive numbers, being 1096 and 1099—I have carefully examined this 5*l.* note, and it is in every respect forged—they are not only forged, but all three are very ill executed ones.

JOHN HARRIS. I am collector to Messrs. Gardener the brewers—I received this 5*l.* note from Mr. Larkcome in October—it has my writing on it.

(*Witnesses for the Defence.*)

JAMES LEAT. I am secretary to the Southwark-bridge Company. In October last I was residing at No. 21, Alpha-road, St. John's-wood—the prisoner is the son of Mr. John Fitzgerald, of Romsey, Hampshire—his mother died on the 7th of October, and was buried on the 14th, at Highgate Cemetery—I am her executor. On the Saturday before the Monday of her interment the prisoner went from my house early in the morning—he had been stopping at my house during the whole time his mother lay dead, sleeping in my room, at his own request, in a make-shift sort of bed—on that Saturday afternoon he came to my office in the City, within a very short time of three o'clock, either before or after, and we went together up to the Cemetery at Highgate, to see in what state of preparation the vault was—we went by a Holloway coach from the Bank—we remained at Highgate probably an hour—it took us rather more than an hour to go, as we had to cross the fields, after leaving the coach, to get to the Cemetery—it was dusk before we left the Cemetery—we crossed some brickfields into the Holloway-road, and returned by an omnibus to the Angel at Islington—we got out of that into a Paddington omnibus, which took us to the Nightingale public-house, Lisson-grove, which is very near my residence—it must have been after six o'clock when we got to my house—I should say nearer half-past six o'clock than otherwise—from the time that he came to me in the City about three o'clock down to half-past six o'clock, when he arrived at my house with me, he was never out of my company a moment—the afternoon was very humid, and the ground at the Cemetery was very wet—our boots were very muddy and wet—having to cross the fields twice they got more so, and having been on the ground adjoining the vault—I changed my boots the moment I got home, and I think he did—I put on another coat and waistcoat—I did

not, to say, dress for dinner—I believe he changed his clothes, but not in my room—I understood he changed his boots and his coat—we dined about seven o'clock, as dinner was not ready when we got home—he had no opportunity of going to Oxford-street between the time we arrived and seven o'clock—I should think we were about an hour at dinner before the cloth was taken away—we either took wine or a little grog afterwards—I suppose that occupied another hour, as we naturally conversed about having been at the Cemetery—it was understood at first that the funeral should be on Sunday—I saw from the state of the vault it was doubtful whether it would be ready, and we discoursed after the cloth was removed whether it should not be postponed until Monday—it was never actually fixed for Sunday, but contemplated—about nine o'clock the prisoner expressed a wish to go out for a short time—I objected, thinking he was better at home—he said he wanted a crape to his hat, and I think he said gloves—I said the gloves would be supplied by the undertaker; but he said, "I have promised the man about the crape, and I shall not be above half-an-hour"—I think I gave him a sovereign and a half, or two sovereigns, when he went out—I made a bargain about his returning, as I had a great objection to his going out—I agreed with him that it should not exceed half-an-hour—he went out—I will not pledge myself that he returned within half-an-hour, but I do not think it exceeded three-quarters of an hour—I consider that he kept faith with me in his promise—I rather think the tea things had been brought up when he returned—I do not think he could have gone to Oxford-street and back again in the time he was absent—it is quite impossible he could have got to the bottom of Oxford-street in that time.

Q. Was there time for him to have come from your house to Newman-street, or that part of Oxford-street, and back again? *A.* I do not think he could have gone in that time—he had no horse and cart, or any butcher's coat—he did not go out again that night—he went to bed soon after tea—I was very fatigued.

Cross-examined by Sir Frederick Pollock. *Q.* He never had a horse and cart, to your knowledge? *A.* I can only speak of my own knowledge—his father has been dead twenty-two years—he came to my house to sleep the same night that his mother died, in the morning—he came from a lady, a relative of the family, at whose house he lived, in the New-road—I never saw him at that lady's house—he came backwards and forwards to my house at all times—the lady's name is Fitzgerald—she is a lady who took great interest in him—I do not think she is any relative—he was a sort of foster-mother when he was a child—he slept at my house every night after his mother died till she was buried, and for some time afterwards—I think he dined with me every day during the entire period that he stopt there—I did not always go out in the morning to business—I generally attend at the office in Queen-street-place, by the Bridge, from ten to four o'clock, but I am not bound to be always there—my permanent attendance is not necessary—I go and see the money counted, and so on—I am not there every day from ten to four o'clock—he was very likely out on the mornings of Tuesday, Wednesday, Thursday, and Friday, but I do not know that—if I went into the City I left him at my house—whether he went out I do not know—I very likely made inquiry when I went home about his proceedings, but I did not remark it—my usual dinner hour is from five to half-past five o'clock—I am not married—I have housekeeper, a man-servant, and another female servant—the house-

keeper is cook also principally—sometimes it is rather uncertain what time I dine, when I cannot say what time I shall be home to dinner—I go home at five o'clock, and it takes half-an-hour to get it ready then, but I invariably order dinner at five o'clock when I know I am coming home—if I had any thing particular to delay me I should say six o'clock, which is not unfrequently the case, from unexpected arrangements—on the morning of the 12th of October I left the prisoner at home—I think the next time I saw him was when he called at my office, about three o'clock, I think, at all events it was previous to the office hour—I am not sure it was so late as three o'clock—it might have been two o'clock, as I thought his time was of less consequence than mine, and I might have appointed two o'clock—it was more than one o'clock—I should say three o'clock was the more probable hour, but I could not swear it—I should not have thought of fixing one, because it would be uncertain whether I could go with him at that hour—about the 12th of October it gets dusk about five o'clock—we went from my office to the Bank, and got into a Holloway stage at the corner of Moorgate—we got out, I think, where the stage stops—I know we had a tolerable walk—we saw the superintendent and four or five workmen at the Cemetery, and the master—they were making the vault—I believe a person named Moore at the corner of Rathbone-place, was the undertaker—there was nobody there from the undertaker to meet us or receive directions—I did not expect to meet any body there—I thought the vault would be perfected—the place is quite open, so that any body can walk in—the superintendent was superintending the workmen at the time—he knew me perfectly—I bespoke the ground of him originally—he is not here—I understand he has left the Company—none of the workmen are here, to my knowledge—we returned to the Angel by the same description of stage, perhaps the very same—I have no doubt of the hour, but cannot say whether I looked at my watch, or heard some clock strike, but I am certain we did not get home till half-past six o'clock—the prisoner remained with me at dinner two hours—he never moved from the table—I do not think he was away more than three-quarters of an hour—the funeral was fixed for Monday—he wished it on Sunday—I thought it was hazardous, as the superintendent informed me if the men worked all night the vault should be ready, but I did not like to depend on that—I am not quite certain that the undertaker had previous directions for its being on Monday, unless he had earlier notice, for it was my wish all along to be on Monday, thinking it should be a week at least, but Mr. Fitzgerald wished it on Sunday—the prisoner's mother lived at my house—she died there, and was buried from there—the undertaker came on Sunday night for fresh instructions—he concluded, as he had not heard from us, that it was fixed for Monday—I was at home all Sunday, except going to church—I am not certain whether the prisoner went with me to church—I have not the same man-servant now as I had then—he is gone to a farm in the neighbourhood—he is not here—he did not wait at table—the housekeeper did—I did not know the prisoner was in trouble till he was actually in custody—he wrote me a letter—I had no knowledge of the charge against him till he was in custody—I had written a letter to him at Romsey, on the faith that he was there—I was not before the Magistrate on his coming up for re-hearing—I was in the office, but not to give evidence—it was last Friday, when he was finally committed, I think.

Q. Did you not long before last Friday know he was under a charge of issuing forged notes? *A.* I heard there was such a charge, from a gentleman, a friend of mine, but not that he was in trouble, because he repudiated it—I wrote down to him about it—I understood you to import by the word trouble that he was in custody—a gentleman told me he had heard such a charge—I wrote down to him to know the truth of it, not believing it—he repudiated the idea that there was such a charge, and told me there was not an atom of truth in it—I did not know there was such a charge—it was a repudiated charge, and I did not believe it—I was only before the Magistrate on one occasion, the day he was finally committed to Newgate—I did not make any statement to the Magistrate.

Mr. Clarkson. *Q.* I believe the charges before the Magistrate, instead of being offered as proofs of guilty knowledge, were offered as substantive charges of uttering? *A.* I really am ignorant of the proceeding—I understood the only motive of his being remanded was to give parties an opportunity of coming forward to identify them.

Frances Ritchie. In October last I was Mr. Leat's housekeeper. I remember the death of Mrs. Fitzgerald, and the prisoner's coming to my master's house—he slept there all that week—the funeral was on Monday, the 14th of October—my master usually dined from five to half-past five o'clock, never before—he came home on the Saturday to dinner with the prisoner—they came home later than the usual dinner hour, it was past six o'clock—Mr. Leat changed his clothes, and the prisoner asked me for slippers, as his feet were wet—he took off his boots, and I gave him slippers—it was seven o'clock, or after seven, when I took dinner in—I attended on them at dinner, and took away the cloth after dinner—they were an hour and a quarter at dinner—I took some coals in afterwards, and swept up the hearth about half-past eight o'clock—at that time the prisoner was still with Mr. Leat—I took tea in at half-past nine o'clock, the prisoner was not in the room then—the bell rang afterwards for some more hot water—I went into the room, and the prisoner was there then—that was about ten o'clock, I think—he did not go out any more that night to my knowledge—they went to bed about eleven o'clock—I took Mr. Leat's bed candle up.

Cross-examined by Mr. Adolphus. *Q.* How long have you been housekeeper to Mr. Leat? *A.* Nearly two years—there was a woman and man servant besides me—the man attends to the garden, and cleans knives—I think my master went out that morning about eleven or twelve o'clock—I cannot exactly say—he came home after six o'clock with the prisoner—I did not see in what direction they came—I had seen the prisoner about three-quarters of an hour before I carried in the tea—I was in the room at half-past eight o'clock, and he was there then—I saw him next before ten o'clock—I did not look to see whether he had his slippers on then—he had not asked me for his boots, but he could have got them without my knowledge—I put them in the green-house, which is not far from where they dined—it is under the same roof, with a sky-light over it—I do not know of their being taken away from there—whether he put them on, and went out, I cannot tell—you can get to the green-house without going into the open air—his boots were very dirty and wet when he came in—I do not remember whether it was a wet or fine day—I understood that they had been to the Cemetery—the lady was buried on Monday, the 14th—I do not know the gentleman who performed the

funeral, he sent proper persons to attend—I went to the Cemetery the morning the lady was buried—she had lived in the house some years, before I went there—she occupied any of the rooms—she had a bed-room of her own, she dined with my master sometimes, when she was able to sit up—she was ill all the time I was there—she died on Monday, the 7th of October—the undertaker came that Monday—I saw the prisoner in the house all the time from the time he came in till he went to bed, except for three-quarters of an hour—Mr. Leat told me I was to come here—he did not ask what I could tell—I told the attorney what I had to say, and he took it down—my master was not by then—the other female servant did not attend at the table—the 7th of October was the first day the prisoner slept at our house—I cannot recollect when he went away, I think it was in December—I cannot recollect whether it was before Christmas—the first I heard of his uttering forged notes was when I saw it in the newspaper, on Saturday morning—Mr. Leat never told me he had heard of such a thing.

SAMUEL HILL. I am a hatter, and live in Homer-street, Crawford-street, near Bryanston-square—during the fall of the last year I have been in the habit of doing little jobs to hats for the prisoner. On a Saturday, about six months back, as near as I can guess, he came to my house, and had a new crape put on his hat—as near as I can guess it was nine o'clock at night—he brought the crape with him—my wife put it on—it would take me half-an-hour to walk from my house to the Oxford-street end of Newman-street, or nearly so—I walk fast—when the prisoner left my shop he went in the direction of St. John's-wood, not towards Oxford-street, but the reverse way.

Cross-examined by SIR F. POLLOCK. *Q.* You remember it was Saturday, but what date you do not know? *A.* No, nor the month—there was no crape on his hat when he came—my wife put it on—I charged 1*s.* for it—it was a hat which had been worn.

HANNAH HILL. I remember a person similar to the prisoner coming to my husband's house, on Saturday evening, in the fall of the last year—he was dressed different to what he is at present, in dark clothes, but not black—I put a crape on his hat for him—he brought it with him.

ELIZABETH MARGENSON. I am single, and live in John-street, Edgeware-road—my father formerly kept a hatter's-shop next door to Mr. Hill's—we left in August—the prisoner frequently came to my father's shop, and had jobs done. On a Saturday evening, in October last, about nine o'clock, I was at Mr. Hill's shop, and saw the prisoner there—Mrs. Hill had a hat in her hand, and was putting a crape hat-band on it—I said, when he was gone, I thought he was rather an eccentric gentleman—the prisoner said the hat-band was for his mother's funeral—I remember that.

ELIZABETH NORBURY. My husband keeps a draper's-shop in Crawford-street, Bryanston-square. I remember the prisoner coming there about four or five months ago, on a Saturday—I waited on him—he asked for some crape for his hat, and he looked at some gloves, and tried on one or two pair, but purchased none.

Cross-examined by MR. ADOLPHUS. *Q.* What time was this? *A.* In the evening—I do not remember the time—it was from about seven to nine o'clock, to the best of my recollection. NOT GUILTY.

1106. JAMES LAURENCE was indicted for embezzling the sum of

2*l.* 2*s.* 3*d.*, which he had received by virtue of his employment in the General Post-office; to which he pleaded

GUILTY. Aged 52.—*Recommended to mercy.*—Confined Six Months.

1107. EDWARD ANDREWS was indicted for stealing, on the 29th of January, at Paddington, 1 watch, value 10*l.*; 1 pair of scissors, value 1*l.* 10*s.*; 3 knives, value 13*s.*; 2 scent-boxes, value 5*s.*; 2 breast-pins, value 4*s.*; 1 locket, value 5*s.*; 1 pair of ear-rings, value 5*s.*; 2 brooches, value 10*s.*; 2 books, value 7*s.*; 1 necklace, value 8*s.*; 4 rings, value 1*l.*; 1 veil, value 5*s.*; 1 watch-key, value 3*s.*; and part of another necklace, value 1*s.*, the goods of Ann Longfellow, in her dwelling-house.

REBECCA REID. I was in the service of Miss Ann Longfellow, No. 11, Berkeley-street west. On the 29th of January the prisoner came, between twelve and four o'clock, and gave his name as Henry—he said he had seen Miss Longfellow get into an omnibus, and she had sent him to clean two front bed-room windows, and that he was to get his dinner with me—I was servant of all work—I said I did not think Miss Longfellow had sent him to clean the windows, because she had a man who constantly cleaned them—he said she did, and I gave him some water and a cloth to go and clean them—I did not know him before—I am quite certain it was the prisoner—he went up and stopped till I got the dinner ready in the kitchen—I then called him—he came down, and went out for a pint of beer—when he had dined he helped me shake the stair carpets—he went up stairs again, and came down while I was cleaning the front parlour—he said he must go out a little while, and would come back and finish—he went out, and I looked after him, but could not see him—he never returned—he had not cleaned the windows—he left between two and three o'clock, as near as I can guess—I went up-stairs about five o'clock, and found a bundle of shoes on the bed which I had never seen before—Miss Longfellow came back between nine and ten o'clock—I told her what had occurred—she went up-stairs directly, with me, and discovered that her boxes were broken open—I saw that myself.

ANN LONGFELLOW. I live in Berkeley-street west—I rent the house—my sister lives with me—the house is kept at my expense, and is in the parish of Paddington. On the 29th of January I left home between nine and ten o'clock in the morning—I returned about half-past ten o'clock at night—I knew the prisoner about two years and a half ago, or more, he was then employed to drive my phaeton and look after the horses—he was my out-door servant, and was employed occasionally in-doors to clean knives—I did not desire him, on the 29th of January, to come and clean my windows—I did not see him—I did not, at any time, desire him to clean them—I met him in Dorset-square, about two months back—when I returned on the 29th I found three boxes broken open, and the property stated gone—the value, altogether, is fifteen guineas—the gold watch is worth ten guineas.

GEORGE HAWKINS. I am shopman to Mr. Webb, a pawnbroker, in High-street, Kensington. The prisoner came to our shop at different times—on the 15th of March he pledged two fruit-knives for 4*s.*, on the 16th of March a ring for 7*s.*, and on the 17th of March a pin for 1*s.*—I did not know him before—I am quite sure of him.

MATTHEW KILLINGSWORTH. I am shopman to Mr. Perkins, a pawnbroker, in King's-road, Chelsea. On the 1st of February the prisoner came to our shop and pawned a veil for 5*s.*; on the 3rd, 2 books for

4*s.*; on the 6th, 2 scent-boxes, a pin, a locket, a knife, and ear-rings for 8*s.*; on the 11th, a pair of silver grape scissors for 13*s.*; and on the 26th, a gold watch for 2*l.*—he gave the name of Joseph Thompson.

THOMAS EASTLAND. I am a policeman. I apprehended the prisoner on the 19th of March at the White Hart public-house, in Earl's-court, Kensington—I found twenty-two duplicates in a parlour which the landlord showed me.

AMBROSE GEORGE WALLIS. I keep the White Hart public-house, in Earl's-court, Kensington. On Tuesday, the 17th of March, the prisoner came to my house, and slept in a back room up stairs—he was at my house the principal part of Tuesday evening—he did not bring any thing with him, to my knowledge—he did not pay for his bed when he left in the morning—he did not return—when I came home I went into his room, and found a box broken open—the prisoner was not in the parlour that morning—he was the evening before with several others, but not alone—I pointed out the room to Eastland.

THOMAS EASTLAND *re-examined.* I found two watch-keys on the prisoner, which the prosecutrix identified.

Prisoner. It was not this man that first apprehended me—it was two of Mr. Wallis's men—he called me out of the parlour, and took me before Mr. Wallis returned. *Witness.* I had received information at the station-house before about the prisoner, and I had seen Mr. Wallis.

MISS LONGFELLOW *re-examined.* These two watch-keys are mine—and this mourning ring has my name on it—the gold watch I gave sixteen guineas for—all these articles are mine, and were safe in this box when I left home on the 29th of January.

Prisoner's Defence. I was not at the house on the day named; on the following day, going up Edgeware-road, I met a young man who gave his name Thompson; he said, "Will you be kind enough to do a small job for me? I have had a few things left me by a friend, I don't like to pledge them myself, but if you will pledge them for me, I will make you a recompence," I pledged one thing one day for him, and so on by degrees: I met him several days afterwards; he told me where to meet him; I was not near the house, neither did I touch the things, he told me to pawn them in the name of Thompson.

GUILTY. Aged 21.—Transported for Ten Years.

1108. EDWARD ANDREWS was *again* indicted for stealing, on the 19th of March, 2 coats, value 2*l.*; 1 pair of trowsers, value 17*s.*; and 1 handkerchief, value 2*s.*; the goods of Charles Simms.

ELIZABETH LAWRENCE. I live in King-street, Kensington—Charles Simms lodged with me. The prisoner came on the 18th of March, about eight o'clock in the evening or a little after, and slept there that night in the top room alone—he came down a little after eight o'clock in the morning, and went away—he did not bring any thing with him—I do not know whether he took any thing away—Simms kept his things in his own bed-room—he missed them on the Thursday, and on Friday I saw the prisoner at the station-house.

CHARLES SIMMS. I lodged with Mrs. Lawrence for twelve months. I did not see the prisoner there on Wednesday the 18th—about eleven o'clock on Thursday I missed my things, which I had seen safe in my box the night previous—the box was not locked.

MATTHEW KILLINGSWORTH. I live with Mr. Perkins, a pawnbroker, in

King's-road, Chelsea. On the 19th of March the prisoner pledged these two coats and pair of trowsers for 1*l.* 4*s.*

THOMAS EASTLAND. I am a policeman. I apprehended the prisoner on the 19th of March—I found 1*l.* 6*s.* 4*d.* in silver in a green purse in his pocket.

(*Property produced and sworn to.*)

Prisoner's Defence. I had nothing to do with the things; I should have returned to my lodging the next night if I had not been taken.

GUILTY.

(There were two other indictments against the prisoner.)

First Jury, before Mr. Common Sergeant.

1109. GEORGE MASON was indicted for stealing, on the 13th of March, 49lbs. weight of hay, value 2*s.*; 3½ bushels of a certain mixture, consisting of oats, chaff, and beans, value 1*l.*; and 1½ peck of oats and beans, value 1*s.* 4*d.*; the goods of Charles Eley, his master.

CHARLES ELEY. I am a farmer, and live at Heston—the prisoner was my carter. On the 13th of March he was sent to London with a load of vegetables—he had to go nearly twelve miles—I allow the carter, to take about 14 lbs. of hay for each horse, and the nose-bags, containing corn mixed with chaff, to feed them on the road—he had no business to take any sack—he had two horses that night—I received information from the officers, and found the prisoner in custody at Hounslow station with two nose-bags filled with corn and chaff for the horses, a bundle of about 25 lbs. of hay tied to the side of the cart, a four-bushel sack nearly full of mixed corn and chaff, and another sack with nearly half a bushel of oats and beans—I have compared the two sacks with my other corn, and believe it to be mine—the prisoner had no authority to take more than was in the nose-bags for the horses—he had two bundles of hay, one about 25lbs., for his horses, and another about 49 lbs.

Cross-examined by MR. CLARKSON. *Q.* Had the prisoner a mate with him? *A.* He had no business with any, and I know nothing of his having one—there is a vein of Italian grass all through the stack of hay, and that vein is in the trusses—I can swear to it—I did not see him leave in the morning—I heard the cart go a little before eleven o'clock—I have not missed any hay from my stack—the 49 lbs. bundle of hay was not disturbed—it appeared in the state in which it would leave the premises—I had seen that bundle previous to its leaving—it was tied up with straw bands—I might have a dozen or fourteen there that night—I do not know whether one is gone—there is nearly half a sack full of mixed meat—the prisoner had received his weekly wages, but he was to have 7*l.* a-year besides—3*l.* 10*s.* would be due to him at Lady-day.

WILLIAM GRIFFIN. I am a policeman. I saw the prisoner coming along Hounslow with his master's cart and horses, on the 13th, soon after eleven o'clock—I saw him leave his master's yard, and observed on his hay ladder a bundle of hay tied with one band, and another tied with two bands—I followed him on the road, and never lost sight of him till he came opposite the station-house—I then asked what he did with all that hay—he said it was for his horses, which his master allowed to them, and what they did not eat he should take back again—I took him to the station-house, searched his cart, and at the top of the sacks I found a four-bushel sack nearly full of oats, clover, chaff, and beans; and another sack between the sacks of turnips, containing half a bushel of oats and beans mixed—I found in the

nose-bag a peck of nearly all clover and oats—I sent for the prosecutor, who identified the hay particularly.

CHARLES ELY *re-examined.* A quantity of food for the horses was delivered to him by my son that day—I did not see him do so, but it is daily done.

MR. CLARKSON. *Q.* Did he on the Friday previous bring back half a sack of chaff and corn, and deliver it to your son? *A.* I did not see him come back, but I never heard of such a thing. NOT GUILTY.

1110. GEORGE SARGEANT and THOMAS HOLFORD were indicted for stealing, on the 12th of March, 140 lbs. weight of lead, value 18*s.* 6*d.*; and 4 sash weights, value 1*s.*, the goods of William Martin Clitherow and others, being fixed to a certain dwelling.

MR. BULLOCK *conducted the Prosecution.*

WILLIAM MARTIN CLITHEROW. I am a butcher, and live in Church-street, Bethnal-green. On the 9th of March Sargeant applied to me for a room in Chequer's-place, Bunhill row—Drew, my collector, let him a room—he took possession of it without my leave—I went there on Friday the 13th of March—I found a hole in the ceiling with paper plastered over it, and about 140 lbs. weight of lead was gone from the gutter of the roof—it was the joint property of me and my brother, my nephew, and niece—I sent for a policeman, and took Sargeant to the station-house, but before that I asked him who gave him leave to take possession of the room—he said the deputy-landlord—I said we had no deputy landlord, and asked him how the hole came—he said it had fallen in, but it was evidently cut in the rafters, pushed up, and the tiles laid carefully on the roof—I know it was perfectly sound on the Monday when he spoke to me about the room—it was a square hole cut in between the joists—the laths were broken off and pulled downwards towards the room, but the rafter laths were broken and pushed upwards—it was certainly made from the inside—four sash weights were gone which were safe before, and two were gone from the lower room also.

Cross-examined by MR. HORRY. *Q.* Did he not tell you the hole had fallen in while he was in bed? *A.* No—his wife said so—I went there before nine o'clock in the evening—he came in at very near nine o'clock—he spoke to us when he came up—I did not speak to him first—it was his wife who said the ceiling fell in while they were in bed, not him—I never said it was he that said so—I asked him how the hole came there—the woman made the answer—I do not think he did—he and his wife were both present—I do not think I have said I asked him the question—I spoke to both, not to him particularly—I did not mention any name—he heard what his wife said—he was not to take possession of the room on the 10th—I understand he took possession on Wednesday—the ceiling would not have presented the appearance it did if any one had fallen through it and got up again—if it had been broken it would be quite different to being cut square—if the plaster had fallen, the laths would not have fallen with it.

SAMUEL DREW. The prosecutor is the owner of the house in Chequer's-place—I am his agent. On Monday, the 9th, Sergeant applied to me for a room, which he said he would take if I put shelves in—I said I could not answer till I saw the landlord—I saw the landlord afterwards, and when I returned Sargeant was at a neighbour's house, using a shoemaker's file—I told him I could not get the repairs done that week, and on the Monday he might take possession, but I would see him before

that—I have since seen an instrument like the one I saw Sergeant using —it was taken from the tiles and given to me by Peacock—I know the premises perfectly well, and know the sashes there—I went to the place on Friday, the 13th—I found the window sashes disturbed, and three or four squares of glass broken; next morning I found the sash weights gone, which were safe on the Monday before—I cannot say when I had seen the lead, but the roof was good—the rain never came through it—it was in good order up to the 9th of March—I have since found a square hole cut big enough for a person to get through—it could not be made by falling in by, the laths were broken—I saw the ceiling on the 9th of March in a good state of repair.

Cross-examined. Q. Was this an upper room? *A.* Yes—the lower room is occupied by Styman—I know the sash-weights were there on the Monday, because I took the landlord up to see the window—I did not see the sash-weights, but the lines were at the windows—there was no lock on the door—I know nothing of his taking any furniture—I was in the room when he was taken into custody—I saw some rubbish there then—a bed, a chair or two, and tables—there was no carpet.

SARAH STYMAN. I am the wife of John Styman, and live in a room at No. 7. Chequer's-place. I saw the two prisoners moving some goods into the two-pair room on Wednesday evening in March, and next day I saw them between four and five o'clock with the window out, hammering it—I thought they were mending it—I said nothing to them, nor they to me.

RICHARD REYNOLDS. I live in Gloster-court, Chequer's-alley, near Chequer's-place—I can see from the roof of my house to No. 7, Chequer's-place, as my house is very high, and I keep pigeons on the roof. On Thursday, the 12th of March, about six o'clock, I went up to feed my pigeons, and observed that the top of No. 7, Chequer's-place, was safe, there were no tiles disturbed—next morning about half-past eight o'clock I went up again, and observed a large hole made in the roof, about the middle, big enough for a person to get out—the tiles were placed up on each side of the hole, and the tiles of the gutter were piled up and put further on—I noticed this, because the same week my sister went to look at this house, and since that she has taken the rooms, I gave information.

Cross-examined. Q. How many houses do you live from this roof? *A.* Not above four or five, but there is a court between my house and this —I was about twenty-four yards from them—the chimneys do not intercept my sight of this roof—the tiles did not seem broken, but just as if they had been pulled off and placed on one side.

MR. BULLOCK. Q. Could you see quite plain? *A.* Yes, our house is the highest one round there.

GEORGE FOREY. On Friday evening, the 13th of March, I went to No. 7, Chequer's-place, with the prosecutor—I saw a large hole cut in the ceiling, and the laths pulled down—I went away for a short time, and when I returned Sergeant was up in the room—the prosecutor, or somebody in the room, asked him how the hole in the ceiling came, and how he got possession, he said he got possession from the deputy landlord—next morning I went to the room and found part of the blade of a knife, recently broken, on the roof, where the lead had been taken from—I could see that the lead had been taken from the roof—I afterwards, in consequence of information, went in search of Holford, who had absconded from his lodgings—I afterwards apprehended him—in going to the police-court from

the station-house, he said, "I do not think I shall do the prisoner George Sergeant any good"—I told him when I took him that it was for taking lead and sash-weights—he asked me how I came to find him out—when I was taking him to the police-court, I asked him if he intended to turn Queen's evidence, he said, "I don't know yet," and previous to going into the office I asked if he intended to turn evidence, he said, "No, I shall take my chance."

COURT. Q. Was any body in the house when you were called in? *A.* No, both Sergeant and his wife came in after I was there.

Cross-examined by MR. PAYNE. Q. You never saw Holford in the house at all? *A.* No.

Cross-examined by MR. HORRY. Q. How long had you been there when Sergeant came in? *A.* About ten minutes—his sister came in, and went and told them, and they came—it is a very bad neighbourhood indeed.

ROBERT PEACOCK. I am a bricklayer. I went to repair this house on the 19th of March—the ceiling was cut through, the plaster cut away, and the laths pulled down—I found this rasp between the rafters and the ceiling.

SAMUEL DREW *re-examined*. I believe this to be the rasp I saw Sergeant using when I saw him.

Cross-examined by MR. HORRY. Q. At what time did you see him using it? *A.* On Monday, the 9th of March—I just cast my eye on it—I should say this is the one, I have no doubt of it—(*looking at another one*)—this is similar, but I have no doubt the first is the one.

SERGEANT—GUILTY. Aged 23.—Confined Nine Months.

HOLFORD—NOT GUILTY.

1111. JAMES WATTS was indicted for stealing, on the 21st of March, 1 pail, value 2*s*. 6*d*., the goods of Thomas Humphries.

ELIZABETH HUMPHRIES. I am the wife of Thomas Humphries, and live in Cheese-court, Oxford-street. On the 21st of March I was standing at my door, and heard a cry—the prisoner was laid hold of by somebody—I ran up, and saw him throw the pail down from under his coat, and run away—I pursued, and he was taken—this is the pail—(*looking at it*)—I had seen it safe about five minutes before.

JOHN HARRISON. I am a policeman. I saw a mob collected, went up, and saw the prosecutor holding the prisoner by the collar, and this pail in his hand—he gave him in charge—as we were going along Oxford-street the prisoner said, "Can't we settle this job?"—I said, "I have nothing to do with that; I must take you to the station-house"—he said, "It is a very unfortunate job for me"—I found 8*s*. 10*d*. on him—he had been drinking, but was not to say drunk.

Prisoner. I was never in trouble before; I hope you will have mercy on me.

GUILTY. Aged 32.—*Recommended to mercy*.—Confined Three Months.

1112. PETER THORPE was indicted for stealing, on the 5th of March, 1 half-crown, 11 shillings, and 1 sixpence; the monies of Robert Skinner.

ROBERT SKINNER. I live in Curtain-road, Shoreditch. On the 5th of March I examined my till, about one o'clock—I went to dinner in the back-parlour, and saw a *to-do* in the shop—my lads took the prisoner, and I

missed about eighteen or twenty shillings—there was a half-crown among it, several shillings, and a sixpence.

JAMES STROUDE. I am in the service of Mr. Skinner. Between twelve and one o'clock, on the 5th of March, the prisoner came to our shop, and asked me for a quarter of a pound of cheese—I served him and took his money—I went round the counter to serve a customer with some bacon, and heard the money rattle—I looked round, and saw the prisoner's hand in the till—I asked what he was about—he said, "Nothing; only getting a bit of paper for the cheese"—I asked him to let me look in his hand—I took hold of it, and took 18*d.* from it—I told my master, and he sent for a policeman—while the young man was gone for one the prisoner ran off—I ran after him down several yards and streets—at last he went into a timber-yard, where there is a water-tank—I saw him behind a door, hiding something in the tank—he was standing there three or four moments—I was afraid of going too close, for fear of being struck—the policeman came up, and I told him he had been hiding something behind the door—the policeman told me to go and look—I did, and found 12*s.* 6*d.* in a handkerchief, at the bottom of the tank—I took it out and gave it to the policeman—there was a half-crown and several shillings among it—the inspector asked him at the station-house what made him put it there—he said, if he was taken, and the money was found on him, they would say he had taken it out of the till.

BENJAMIN BAKER. I am a policeman. I saw the prisoner in the timber-yard—Stroude told me something about the money—I examined the tank, and 12*s.* 6*d.* was found there in a handkerchief.

(The prisoner received a good character.)

GUILTY.* Aged 19.—Confined Six Months.

1113. MARY HARRISON was indicted for stealing, on the 17th of March, 1 copper, value 25*s.*, the goods of Richard Reeves, and fixed to a certain building.

RICHARD REEVES. I am a watchmaker, and live in High-street, Shoreditch. On the morning of the 17th of March the officer called at my house, and in consequence of what he said I went to No. 34, George-street, Shoreditch, which is a house I let out—I missed the copper, and found the lid placed over where the copper had been—I found it at Spital-fields station-house—the house is let out in apartments—the prisoner lodged there.

THOMAS MALING. About eleven o'clock on the 17th of March I was in Dorset-street, and met the prisoner with the copper wrapped in a bed-rug—I stopped and asked where she brought it from—she said, from Silk-street in the City, and was going to take it to Bethnal-green-road—I took her into custody—Reeves identified the copper.

Prisoner. I did take it; I was going to pawn it. I was engaged to work at a place, and wanted a few things to go in.

GUILTY. Aged 39.—Confined Three Months.

1114. GEORGE RAWLINSON was indicted for stealing, on the 9th of March, 400 lbs. weight of potatoes, value 15*s.* 9*d.*, the goods of Henry Penry.

CHARLES PENRY. I am in the employ of my brother, Henry Penry, in Hackney-road. On Monday afternoon, the 9th of March, the prisoner and another man came to our shop, and asked the price of my potatoes—

I said, 4*s.* a cwt.—they said they would give me 3*s.* 9*d.*—they then went away, and returned in about an hour and a half—I said, "You have come back for the potatoes?"—they said, "Yes"—they said, they were going to a cook-shop at Hoxton Old Town—I weighed the potatoes, put them in three separate sacks, 2 cwt. in one, and 1 cwt. in each of the others, and asked them for the money—they said they would pay the boy when he brought them—they would send it back by him—I sent the boy with 2 cwt.—the prisoner carried 1 cwt., and the other man the other—I had no suspicion—they were quite strangers—I was afterwards afraid all was not right, and sent a man after them—he came back a long time afterwards, and brought the prisoner with him, and I gave him in charge—we agreed for the potatoes at 3*s.* 9*d.* a cwt.—it was a regular sale the first time, but I had not delivered them to him—I would not have allowed him to take them without the money, except the boy had gone to bring it back.

Prisoner. *Q.* Was I the man who bought them? *A.* You were both together—you both talked together—I cannot say which spoke chiefly about them.

RICHARD HAWKES. I am a policeman. I was called into the shop, and took the prisoner—Mr. Penry said he and another man had taken 4 cwt. of potatoes away, they were to have paid for them, and he had not received the money—on the way to the station-house, I asked the prisoner where the other man was—he said he knew nothing of him, that he asked him to help him with some potatoes—I found 6*s.* on him at the station-house—I asked how he accounted for having that money—he said 5*s.* of it he earned as a porter in Spitalfields-market—I asked if he had been paid for taking any potatoes to a cook-shop, he said, "No."

WILLIAM HENRY TESTER. I am in the prosecutor's employ. I remember the prisoner and the other man coming to my master's shop—I do not know which spoke—I was getting the potatoes out of the tub—our boy wheeled them from the shop to the top of Union-street—my master then sent me after them to see about them—I caught the lad with 3 cwt. on the barrow—he said the prisoner and the other man had just gone round the corner with the 1 cwt.—I had no sooner spoken before the prisoner and the other man came back to the lad—the other man took 1 cwt. on his back, and told me and the prisoner to wait there till he came back—he then turned round, and said, "Go on, never mind, I will overtake you"—he went with the potatoes—I and the prisoner went on—I had 2 cwt. of potatoes on the barrow—I wheeled them up Kingsland-road into Hoxton—I waited at the corner of Wilmore-gardens until the other man came—I helped them on his back, and he carried them away—the prisoner was waiting with me—some time after the prisoner said, "I will go and see after him"—I followed and saw them both come out of a shop, and come towards me—they came down Hoxton to the Unicorn public-house, gave me a pot of beer, and said they had not got paid for the potatoes—when we got to Essex-street, the other one told the prisoner to wait with me while he went to see after some money—some time afterwards the prisoner said, "I will go and see after him"—I followed the prisoner down to Hoxton by the church, round Old-street-road, and back to my master's shop—he came back to my master's shop with me—he did not try to get away—at the corner of Essex-street he offered me 4*s.* to wait till he came back—I said, no, I would have it all—I would not take that.

Prisoner. I offered him 4*s.*—I had no idea but the other was coming back again.

MARY ANN FENNER. The prisoner came to me one afternoon, and asked if I wanted any potatoes—I said, "Yes," and he was to bring me a sack on the Tuesday—I do not know on what day this was—he came again to me on Monday afternoon, and asked if I wanted any—I said, "Yes," and about half-past seven o'clock in the evening he and another man came with a sack on his back—I asked why he brought them then, as I did not want them till Tuesday—he said, if I did not have them then they would be dry—I said I had not sufficient money then—he said half would do—the other man said he must have it all, because they wanted something to drink—I went and borrowed the money, and gave it to them.

(*The prisoner, in a written defence, stated that he did not purchase the potatoes, and did not know their price; he was in the habit of serving bakers with potatoes; he met the other man, who asked if he wanted to purchase any; he said, "No;" that he took him to the prosecutor's shop, and engaged him to carry the potatoes for him.*)

GUILTY. Aged 30.—Confined Six Months.

NEW COURT.—*Thursday, April 9th*, 1840.

Fifth Jury, before Mr. Recorder.

1115. CHARLES COLEBY was indicted for stealing, on the 19th of March, 63lbs. weight of lead, value 7*s.*, the goods of William Laurence, his master; to which he pleaded

GUILTY. Aged 55.—Confined Nine Months.

1116. WILLIAM JEFFORD was indicted for stealing, on the 18th of February, 1 table-cover, value 1*s.* 4*d.*: and on the 23rd of February, 1 table-cover, value 1*s.* 9*d.*; the goods of Thomas Paddon, his master; to which he pleaded

GUILTY. Aged 16.—Confined Three Months.

1117. DAVID WATSON was indicted for stealing, on the 27th of March, 4 planes, value 10*s.*; 1 square, value 2*s.*; 1 chisel, value 2*s.*; the goods of James Champion; to which he pleaded

GUILTY. Aged 55.—Confined Twelve Months.

1118. JOHN NEWTON was indicted for stealing, on the 25th of March, 1 child's carriage, value 15*s.*, the goods of James Gardner Jessop; to which he pleaded

GUILTY. Aged 49.—Confined Twelve Months.

1119. HENRY VERNON was indicted for stealing, on the 16th of August, 1 sovereign, and 12 shillings, the monies of Louis Fenwick de Porquet, his master; to which he pleaded

GUILTY. Aged 19.—*Recommended to mercy by the prosecutor.*—Confined Twelve Months.

1120. FREDERICK BRAWN was indicted for stealing, on the 29th of February, 126lbs. weight of pork, value 3*l.* 10*s.*, the goods of Henry Taylor, his master.

HENRY TAYLOR. I live in Union-street, Bishopsgate, and am a pork-

butcher—the prisoner had been in my service about three months. On the 29th of February I went to Leadenhall-market to purchase pork—I left my man behind me, and the prisoner was to assist him in loading the cart—I asked the prisoner, when I returned to the cart, how many turns he had brought down, or how many loads, I cannot say which—I counted the pork which was in the cart, and missed four sides, which was part of what he should have put into the cart—he said he had put it into the cart—I sent for an officer, and gave him into custody.

Cross-examined by MR. ROE. *Q.* What time did you arrive at Leadenhall? *A.* About six o'clock—I left the market directly I had purchased—I think it was not seven o'clock then, but I cannot speak to half-an-hour—the sides of pork are generally hung upon hooks—I missed four sides of pork, that was one turn for the prisoner to carry to the cart—he should have gone three turns—in two turns he would have taken but eight sides.

WILLIAM WILLARD. I am shopman to the prosecutor. On the 29th of February I was present when my master purchased three pigs and twenty-four sides of pork—the prisoner took four sides and I took four to the cart—he then went back with me for four more each—there ought to have been twenty-four put into the cart—I carried twelve myself—the prisoner cannot put them into the cart, he is not tall enough—I did it for him—I took eight of him, and he ought to have brought twelve—when he brought his second load, I took them, and placed them in the cart on each side, leaving the middle hollow for the other four—I then went to the salesman, and saw the prisoner had got three sides on his shoulder, and I placed the fourth side on his shoulder—he then started off to the cart with them—I stopped for some pieces of pork, and then went after him, because I knew he could not put the sides up himself—I got to the cart, and was surprised that he was not there, and had not put his sides in the cart—I then thought he might have had an accident—I went up the market, and saw him in the passage talking to a young man—I said, "What have you done with those four sides?"—he said, "I have put them into the cart"—I said, "Who took them of you, did Barker?"—he said, "No, I went round to the step of the cart, and put them in," but I could see they had not been put in.

Cross-examined. *Q.* How long were you loading? *A.* Not more than half-an-hour—I should think we finished by eight o'clock—we had to wait till master came down—I did not at first recollect how many turns the prisoner took, but I recollected when we got home, and when the pieces were counted I was certain of it—I never knew him put loads on the cart without my assistance—the tail board was up—we put the meat in at the side—I am sure he had three turns—it was three or four minutes before I went to the cart, and then I perceived the deficiency—I was a little agitated, but I did not like to say any thing till I was sure—I waited a few minutes, then went and found the prisoner in the passage, which is a thoroughfare—we had come along there to load the cart—I knew the man by sight to whom he was talking—his name is Cox, and he lives at a poulterer's shop there.

JOHN BUBBER. I am thirteen years old, and live with my parents in Willow-garden, Curtain-road. On Saturday the 29th of February, I was minding Mr. Taylor's carts, and other carts, in Gracechurch-street—they stand with their tail-boards to the pavement—I saw Willard bring three turns of pork to the cart, and the prisoner only brought two turns.

Cross-examined. Q. How many carts had you to mind? A. I and my father had about fifty—I was standing in a cart two or three carts from the prosecutor's—I did not walk up and down—I have known the prisoner some time.

WILLIAM STEVENSON. I am a drover, and live in Rodney-street. On the 29th of February, I was employed to mind some carts in Gracechurch-street—I saw a man carrying some pork towards Cornhill—it was then twenty minutes past seven o'clock, or from that to half-past—he had on a fustain coat and trowsers, and was rather bow-legged—I did not notice his face—he was about the prisoner's size.

Cross-examined. Q. Were you minding Mr. Taylor's cart? A. No.

GEORGE TEAKLE (*police-sergeant H* 8.) I took the prisoner.

Prisoner. It is impossible for a boy to notice every piece of meat that is brought down.

The prisoner received a good character.

GUILTY. Aged 22.—Confined Six Months.

1121. DAVID CANDLAND was indicted for stealing, on the 12th of March, 1 handkerchief, value 2*s.* 6*d.*; and 1 shilling and 2 pence, the property of John Smith, his master.

JOHN SMITH. I am a tailor, and live in Crawford-street. The prisoner was my shopman for about eight months—in consequence of some suspicion I marked three half-crowns, some shillings, a sixpence, and some coppers, on the 11th of March—I placed them in the till, which was not locked—next morning it appeared to be all right, and the same evening I missed a shilling and two pence, which had been marked—a person named Sampson was staying at my house—I tossed up with him as to who should pay for a newspaper which we was to have for an hour, and the prisoner was to take the loser—I lost in tossing—the prisoner was then to toss with me—he took out a penny to toss with—he put it on the counter, and it fell on the ground—I noticed that it was one of the marked ones, which I had places in the till—I asked if he had any more, and he produced another marked penny—I asked where he got them, he said from home, I said he did not—he said if I could swear to them he could not say any thing—I asked if he had any more money, and he produced a marked shilling—he said it was one I had given him on the Sunday to pay for his dinner, but I had not any marked then—I had some silk handkerchiefs hanging in my shop—I told the prisoner I believed he had a handkerchief of that description, and I asked him how he became possessed of it—he said he took it from me—he fetched it down, and begged my pardon—I gave him in charge.

Cross-examined by MR. PAYNE. Q. How long have you been in business? A. About nine months—the prisoner had 4*s.* a week—he resided on my premises and slept with me—he had to go to the till to get change and to buy things—I forget whether he had bought any butter that morning—it must have been nearly four hours after I received this handkerchief and the money from him that I gave him into custody—I left him and Sampson together while I went to Crown-street, where he said his father was—I said on the following evening that I would do what I could to get him off—I did not say that I was sorry it had gone so far, and that I saw things in a different light.

WILLIAM DOCURA (*police-constable D* 31.) I took the prisoner—I asked him if he was aware what he was going with me for, he said for taking 1*s.* 2*d.* and a handkerchief of his master's.

NOT GUILTY.

1122. GEORGE ABBOTT was indicted for stealing, on the 7th of March, 66lbs. weight of beef, value 1*l.* 13*s.*, the goods of Samuel Hutchings.

SAMUEL HUTCHINGS. I am a butcher, and live in King-street, Portman-square. On the 7th of March I bought 66lbs. weight of beef in Rose-street, Newgate market—I put it into my cart in Newgate-street—I afterwards saw the prisoner in custody with it—I paid 1*l.* 13*s.* for it.

JOHN ONION. I am a butcher, and live at Rotherhithe. I was in Newgate-street on the 7th of March—I saw the prisoner take the beef out of the cart and go up Newgate-street with it—I went up and asked what he was going to do, he said, "If it is yours you can have it," and he put it on the pavement—I detained him.

RALEIGH COLBURN (*City police-constable, No.* 254.) I took the prisoner—the beef was delivered to the prosecutor by order of the Lord Mayor—it was at the prisoner's feet when I took him, and his jacket was covered with grease.

GUILTY. Aged 18.—Confined Six Months.

1123. SAMUEL HEARN and ANDREW HUGHES were indicted for stealing, on the 6th of March, 2 pieces of timber, value 4*s.*, the property of Robert Webb and another.

JOHN PRESSNEY. I live in Hoxton. I am porter to Robert and George Webb, of St. John-street—they are contractors for the Blackwall railway—I have seen the prisoner frequently about the railway—Mrs. Whatten gave me information, and I went with her to the Old Fountain public-house—I found the two prisoners there and these two pieces of timber against the wall—I asked where they got them—Hughes said it did not belong to me, he had taken it from some old brick-work which he had been pulling down the day before, and Hearn said he had bought this short piece, but he thought it was only fire-wood—I had ordered some timber to shore up a house, and this is a part of it.

ELIZABETH WHATTEN. I am the wife of George Whatten, a bricklayer, we occupy a house in the line of the Blackwall railway—there was a plank which had been used for wheeling some sand. On Monday I saw Hughes carry that plank into the Old Fountain public-house, and Hearn followed him—I saw them then return to the works, and in the mean time there had been a load of timber put down—they stood by it and were conversing over it—Hughes turned some of it over and then he took this long piece out, put it on his shoulder and carried it away, Hearn followed him with another piece—I sent a message to Mr. Pressney, and he and I went to the Old Fountain public-house—the prisoners were there with the wood.

Hearn. Q. You sent a boy to watch us, did you not? *A.* Yes, but I saw Hughes enter the public-house.

WILLIAM REYNOLDS. I live in Windsor-street, and was at work on the railway. I was directed to get some timber to shore a house—I took it, and these are two of the pieces.

GEORGE WHATTEN. On the Monday in question I saw the prisoners near my house, about eight o'clock—I heard Hughes tell Hearn he wanted some gin—Hearn said the plank would do for a drop of gin—there was a plank across some bricks—and Hughes said he would take that to Mr. Bradley's for a drop of gin—I said, "Leave the timber there; it will be better for you"—I then went to breakfast—my wife afterwards called me to look at them, and Hughes had got the plank on his shoulder.

DANIEL M'NAMARA (*police-constable H* 159.) I was called to the Old Fountain public-house, and took these two pieces of timber in the bar—Hughes said he had dug out one piece from amongst some bricks.

Hearn's Defence. I bought a wall of an acting engineer; Hughes was employed to get the bricks out of the foundation, and there were several pieces of timber found; we borrowed several planks to cover over a tank; as to taking a plank, there was no plank found.

HEARN—GUILTY. Aged 31. } Confined Six Weeks.
HUGHES—GUILTY. Aged 40. }

1124. WILLIAM RIDOUT was indicted for stealing, on the 24th of March, 1 broom, value 2½*d.*, the goods of Thomas Fleming, and that he had been before convicted of felony.

THOMAS FLEMING. I live in Kingsgate-street, Bloomsbury. I missed a broom from my shop on the night of the 24th of March—this is it.

WILLIAM SMITH (*police-constable E* 151.) I stopped the prisoner a few doors from the prosecutor's shop with this broom—he said he had bought it round the corner.

JOHN TUCK (*police-constable V* 171.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 13.—Confined One Month.

1125. ELIZABETH SARAH PEPPER was indicted for stealing on the 18th of March, 1 shawl, value 7*s.* 6*d.*, the goods of William Wade, her master.

ANN WADE. I am the wife of William Wade, of Amwell-street, Clerkenwell. The prisoner was three weeks in my service—she left on the 18th of March—I afterwards missed a shawl.

Cross-examined by MR. PAYNE. *Q.* Have you seen it since? *A.* Yes, it is here—I never gave the prisoner leave to use it.

JOHN COMBS. I am shopman to a pawnbroker in Myddleton-street—this shawl was pawned by the prisoner on the 19th of March, for 4*s.*

Cross-examined. *Q.* Did you ask whose it was? *A.* Yes—she said it was her own—I am certain she is the person—she was in the shop two or three minutes.

CHARLES DAVIES (*police-constable G* 170.) I took the prisoner on the 26th of March, in Noble-street, and found a duplicate of the shawl on her.

GUILTY. Aged 17.—Confined Three Months.

1126. GEORGE NEALE, CHARLES GLOVER, and WILLIAM RICH, were indicted for stealing, on the 18th of March, 1 spade, value 2*s.* 6*d.*; and 5 tame fowls, price 1*l.*, the property of Robert Hele Beedle.

ROBERT HELE BEEDLE. I live in Belmont Cottage, Hackney-road, and am a linen-draper. I missed seven fowls and two pigeons from my shed, and a spade from the garden, on the 19th of March—I had purchased three of the fowls the evening before at Mr. Baker's, in Church-street, but had three of them for a year—I have since seen five fowls and a spade which are mine—I had cut the wings of my fowls, and know them again perfectly.

SARAH WELLS. I am housekeeper to Thomas Baker, in Church-street, Bethnal-green. He deals in fowls—I sold the prosecutor three fowls on

the evening of the 18th of March—he called the next morning, said they were gone, and the same afternoon Neale and Glover came to offer three fowls for sale, but they were not what I had sold to the prosecutor—I bought them of Neale for 1*s.* 3*d.* each, which was as much as old hens are worth to sell again—he said he had two more which laid, and he would not take less than 2*s.* a piece for them—I said I would give it—he fetched them—I knew they were two I had sold the prosecutor the night before—he said he had bought the two that morning of a tall young man at the top of Hans-place, Hackney-road, and the other he had had six months.

HENRY PRIDGEON (*police-constable H* 28.) I was called to Baker's shop on the Thursday evening—Neale and Glover were given into my custody—the inspector questioned them—Glover said that they had bought two of them the same morning at the top of Hans-place, and had had the others six months—on the 21st of March I went to No. 6, Hare-court, Cambridge-heath, where Neale lodged—I found Rich at work making shoes—I asked him if he had any fowls, or had ever kept any—he said, "No"—I went up stairs and found a great many feathers, some of which were in a basket—I then came down and found this spade in a cupboard—he said he had had it for a week, and he had dug his garden up with it on the Tuesday—I found a dead fowl there and three pigeons.

ROBERT HELE BEEDLE *re-examined.* This is my spade—there was a splinter on the handle, which hurt my hand, and I cut it off with my pen-knife—there were two letters in ink on the handle, which appear to have been rubbed out—the five fowls I can speak to most positively.

Neale's Defence. I bought the fowls at the corner of Hans-place, of a young man.

Glover's Defence. I saw him buy two fowls at the top of Hans-place.

(Glover received a good character.)

NEALE—GUILTY. Aged 16.—Confined Two Months.
GLOVER—GUILTY. Aged 17.—Confined One Month.
RICH—NOT GUILTY.

1127. JOHN COOKE was indicted for stealing, on the 5th of March, 56 lbs. weight of hay, value 2*s.*, the goods of Benjamin Hurring.—2nd COUNT, stating them to be the goods of Daniel Marsh.

BENJAMIN HURRING. I keep the Hartshorn Inn, at Barnet. On the 5th of March, Marlow, who is servant to Daniel Marsh, complained to me of the loss of a truss of hay out of my stable, and, in consequence of that, I directed it to be replaced with another truss of my own—if any hay is lost from my stable, I make it good.

HENRY PAYNE. I am ostler to Mr. Hurring. Wagons stop at his inn, and when hay or other things are left, which the horses will not have, I have it—my master shares those perquisites—I did not authorise the prisoner to sell any hay for me.

GEORGE FIELD. I am a labourer, and live at Barnet Common. The prisoner called at my mother's house about half-past seven o'clock, on the 5th of March, with a bundle of hay, and said he came from the Hartshorn public-house—I said I did not want hay, I wanted chaff—I am in the habit of buying chaff of Payne, and had told the prisoner on the day before that I wanted chaff—I took the hay, and paid 1*s.* 9*d.* for it.

ALFRED DRAGE (*police-constable S* 285.) I took the prisoner in bed on the 7th of March—I charged him with stealing this hay—he said, if he

had not been drunk and a fool, he should not have done it—I said, "Do you confess you stole it?"—he said, "Yes, and I may as well speak the truth at first as at last.

Prisoner. I said, "I will own I sold it, but I found it."

HENRY PAYNE *re-examined.* *Q.* How do you know that you lost a bundle of hay? *A.* Marlow told me he had lost one out of the stable—he had a quantity of hay with him, and might have dropped a truss.

NOT GUILTY.

1128. WILLIAM BURKE was indicted for stealing, on the 4th of April, 2 coffee-pots, value 1*l.* 4*s.*, the goods of Frederick Penton Gardener.

JOHN CHILDS. I am in the employ of Frederick Penton Gardener, of Newgate-street. In the afternoon of the 4th of April I saw the prisoner leaving the shop, with these two coffee-pots in his hand—I came up with him three or four doors off, and brought him back—they were in paper, as they are now.

Cross-examined by MR. PAYNE. *Q.* What part of the shop were they in? *A.* On the counter, about fifteen feet from the door, which was shut—I had left the shop for a minute—I heard the door open, and the noise brought me up—he was in the act of covering them with his apron when I took him.

HENRY COLEMAN (*City police-constable, No.* 224.) I took the prisoner, and have the property.

GUILTY. Aged 19.—Confined Three Months.

1129. HELEN MACKIE was indicted for stealing, on the 9th of March, 2 wine-glasses, value 1*s.*; 1 cup, value 3*d.*; 1 saucer, value 3*d.*; 1 opera-glass, value 4*s.*; 3 printed books, value 6*d.*; 1 basin, value 1*s.*; and 9 yards of calico, value 1*s.* 3*d.*; the goods of James Panting, her master.

JAMES PANTING. I am a publican, living in Berwick-street, Westminster. The prisoner was my servant-of-all-work—she had permission on Monday afternoon the 9th of March, to go out, and she did not return—on the following Thursday she came for her box—(she had in the mean time sent for it, but I missed some things)—I sent for an officer, and her box was unlocked in her presence, and the wine-glass and other things found in it—the opera-glass was found under the bed.

WILLIAM KIDDLE. I am apprentice to William Gofton, a pawnbroker. I have some printed cotton, pledged by the prisoner, on Monday evening, the 9th of March, for 2*s.*, in the name of Smith—I had seen her often before.

Prisoner. I did not pawn it. *Witness.* I am positive of you.

WILLIAM THOMAS (*police-constable C* 86.) I went to the prosecutor's house—the prisoner unlocked her box in my presence—I found two glasses, the cup, saucer, and books, and the opera-glass between the bed and the sacking—she said she had put it there.

(*Property produced and sworn to.*)

Prisoner's Defence. The small cup I took with the child to play with; I have neither father nor mother.

GUILTY. Aged 18.—*Recommended to mercy.*—Confined One Month.

1130. GEORGE WARREN was indicted for stealing, on the 3rd of March, 1 pair of boots, value 5*s.*, the goods of James Smith; and 2 sheets,

value 6*s*., the goods of John Thornett; and that he had been before convicted of felony.

JAMES SMITH. I am barman to Mr. John Thornett, at the Bull's Head public-house, in Tottenham-court-road. The prisoner came there on the night of the 2nd of March, and asked if he could have a lodging for one night—I called my mistress, and he gave her 1*s*. for his night's lodging—he went up stairs, and had a glass of gin-and-water—he went to bed in the room, No. 11, about twelve o'clock—the next morning I came down at seven, and afterwards saw my boots under a chair in the room, No. 9, which I slept in—a servant saw him go out of his room into mine, and he went out about ten minutes past ten o'clock—I went up about ten minutes after, and my boots were gone—I missed some sheets off the bed where he slept—on the 6th of March the prisoner was brought to our house again—I was called into the parlour, and the boots he had on were mine—I gave him a pair of old boots that he had left behind—I asked if they were his, and he said they were—I have not seen the sheets since—he had no business in my room at all—I found his old boots under the bed he had slept in—they were very old, and worth about 6*d*.—mine were worth 5*s*.—they were on the same floor, but in a different room.

Prisoner. *Q*. Have you any thing remarkable about the boots? *A*. Yes, a small cut on them, which was done when they were made—on the Monday night you came and asked for a bed, you had slept there the night previous—I saw something pass between you and my mistress on the Monday night—I cannot swear you did not pay her on the Monday morning—no one slept that night on the same floor—I swear that you said the old boots were yours.

THOMAS CROSSMAN (*police-constable E* 27.) I was called to the Bull's Head public-house on the 6th of March, and the prisoner was given into custody—I saw him take these boots off, and the old pair brought to him he said were his—the sheets have not been found—these are the boots he took off his feet.

Prisoner. *Q*. Can you swear that I said these old boots were mine? *A*. Yes.

Prisoner's Defence. The boots are my own; the prosecutor cannot say if they are bound or not.

HENRY MILTON (*police-constable D* 165.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person—he was tried by another name—I was the officer in the case.

GUILTY. Aged 26.—Transported for Seven Years.

1131. WILLIAM ANDERSON was indicted for stealing, on the 14th of March, 1 pair of trowsers, value 5*s*., the goods of Henry Adams Newman.

THOMAS JONES. I am shopman to Henry Adams Newman, a slop-seller, in High-street, Shadwell. On the 14th of March I missed a pair of corduroy trowsers from the door-post—I had seen them safe ten minutes before—I ran up the highway, and saw the prisoner running with them under his arm—I stopped him, and asked where he got them—he said he picked them up—here is the shop-ticket on them.

WILLIAM UNWIN HILDITCH. I live in Susannah-row, Dorset-street.

On Saturday night, the 14th of March, I was going past the prosecutor's shop, and saw the prisoner stoop and pick up a pair of trowsers at Mr. Newman's step—he rolled them up in his arms, and ran away—I told Jones of it.

Prisoner's Defence. I saw them lying down, I picked them up, not off the step, but off the ground—I did not know whose they were.

GUILTY. Aged 15.—*Recommended to mercy.*—Confined Three Months.

1132. ANN SHEEN was indicted for feloniously receiving of a certain evil-disposed person, on the 5th of February, 1 waistcoat, value 10*s.*; and 1 tippet, value 4*s.*; the goods of John Prescott; well knowing the same to have been stolen; against the Statute, &c.

CHARLOTTE PRESCOTT. I am the wife of John Prescott. I have a son named John Matthew Carter, by a former husband—I was confined in bed in the month of February—I missed several articles, among them a squirrel tippet, which is worth about 4*s.*, and a velvet waistcoat belonging to my husband, which is worth 25*s.*—it was in a good state when it was lost—I charged my son with stealing the property—he denied it at the time; he afterwards proposed to go with his aunt somewhere—I got a policeman from the station-house, on the 2nd of March, and went to Rose-lane, Spitalfields, with the policeman and Carter—I saw Mrs. Sheen there—I can hardly say if the prisoner is the person—she was not in widow's-weeds when I saw her—it was a person who represented herself as Mrs. Sheen—he person I saw before the Magistrate was the same I saw in Rose-lane—he policeman said he had come for some things she had got belonging to ne, and named a waistcoat that the boy had brought—she said she did ot know, but if we would come to-morrow morning she would see—the fficer said he must have it now—he accompanied her up stairs, and when e came down he produced this waistcoat—I told the prisoner that Carter aid he had sold it to her—(Carter was in the shop at the time)—she then enied all knowledge of it—Carter told her he had sold it to her—she denied all throughout—I remained with the boy in the shop—from a quarter to alf an hour elapsed before they came down stairs—the officer asked me if knew the waistcoat—the officer told her the boy had brought it to her, and old it for 6*d.*—she said he had left it there for food to the amount of 6*d.*—e boy said she had given him food—while the prisoner was up stairs a young oman in the shop gave me information—when the prisoner came down I old her she had a fur tippet, and she said I might come up with her and e—the officer said he thought he saw the tippet up there—I went up, and und it in a chest—the prisoner said, if that was mine, I could have it—I ld her I knew it by a mark inside, for as it was coming from the country got stained—I asked Carter, in her presence, whether he had sold it to r—he said he had for 6*d.*—she said he had not sold it to her, she had pplied him with articles of food; but he was at the same time in a place employment, where he was found food.

Cross-examined by MR. DOANE. *Q.* You missed these articles in February? *A.* Yes—it was my son took them from me, for my sister met m, and he told her so—I charged him with it on the 2nd of March, the ght I went to the prisoner's—he denied it to me—my husband is not here it is his waistcoat—he is a card-maker—my son was living with me ior to this, and I got him a ship—he had sold both his outfits to a son of

Mrs. Sheen's—he went to sea, and returned about the middle of January in a destitute state—I clothed him and fed him, and during that time he robbed me—he was not living with me till the 2nd of March, but in a vessel—I have one other child, besides an infant—the prisoner afforded every facility for searching her premises—I said, "My son has sold you my tippet and waistcoat"—she denied all knowledge of them—when they were found, when I said they were mine, she said she had lent him food on them, and he admitted he had food.

MARIA WINGATE. I am the wife of Thomas Wingate, and live in George-street, Willow-street—the boy Carter is my nephew. On the 2nd of March I met him in Shoreditch, and in consequence of what he said I went to the prisoner's house, in Rose-lane—the boy waited outside—I went in, and asked the prisoner to give me the waistcoat that she had bought of the boy for 6*d.*—she said she had no waistcoat, and if I brought the boy he would not say she had it—I went away, and informed his mother of it.

Cross-examined by MR. PAYNE. *Q.* Had you the boy with you? *A.* Yes, at the door—I asked him to go in, and he would not.

JOHN MATTHEW CARTER. I am the son of Charlotte Prescott. I ran away from my ship at Hartly Pool—on my arrival in London, some weeks after, I went to the prisoner's to lodge two nights—I took a velvet waistcoat and a fur tippet from the bed-room at my mother's house—I took them to Mrs. Sheen's, about six o'clock in the evening, and said, "Mrs. Sheen, can you lend me 6*d.* on this waistcoat?"—she said, "Yes," and asked what I had in my breast—I said, "A fur tippet"—she asked if I wanted 6*d.* on that—I said, "Yes"—I let her have them—she detained the whole money—6*d.* for bread and cheese, and 6*d.* for lodging—she gave me half a quartern loaf and 2*d.* worth of cheese—she has a lodging-house in Wentworth-street, where I lodged—there is a parcel of bad girls there—I told my aunt what I had done with the waistcoat—I remained outside while she went into the house—I waited about till my mother arrived, and then went to Spitalfields watch-house for a policeman—he accompanied me and my mother to the prisoner's—I heard what the officer said to the prisoner—the waistcoat and tippet were found there—the policeman took me to the station-house.

Cross-examined by MR. PAYNE. *Q.* How old are you? *A.* Sixteen—I staid on board the ship six weeks—I went to Sunderland, and entered on board a ship there—I came to London about three months ago—I did not go to Mrs. Sheen's to lodge five nights—I will swear I did not—when I came to King James's-stairs I went straight to my mother's—I was apprenticed on board the *Victoria*, which sailed from Hartlepool—I went on board at London, and worked to Hartlepool, and was on board there six weeks—I ran away because my master and the mate used to beat me—I was on board the other vessel three months—she came to Sunderland, and was sold to another owner—I came on board another ship to London—when I came to my mother's I had no clothes—I sold them in Sunderland to get bread—it was a fortnight from my leaving the second ship and going to the third, during which time I sold my things—I remained with my mother three weeks till I got another ship, the *Mary and Ann*, and went on board her at the New Crane-stairs—about six weeks ago I left her in London, and went to Mrs. Sheen's—I sold my outfit to William Sheen, who used to live in Wentworth-street—I left the last ship because I did not like it—they did not beat me there—I stopped with Sheen about four

nights—I paid her by money that I sold my clothes for—I sold my blanket for 1*s.* 6*d.*, and the rug for 6*d.*, and I sold my jacket and other things to William Sheen, and took the money to Mrs. Sheen—she accused me of stealing a pillow-cover—I was then walking about the street for about a week, and then I went to my mother's—she gave me a shirt and things—I took the waistcoat and tippet out of my sister's bed-room—I had two nights' lodging and food at Mrs. Sheen's for them—I met my aunt in Church-street on the Monday—I was working down at Billingsgate from the time I left the prisoner's till I met my aunt, and then I told her that I took these things—I stood at the corner of the street—my aunt asked me to go in, and I would not.

GEORGE TREW (*police-constable H* 125.) I was at Spitalfields station-house on the 2nd of March—Mrs. Prescott and her son came to me—I went with them to the prisoner's shop in Rose-lane—I saw the prisoner—she keeps a chandler's-shop and a lodging-house—I said I had come for a waistcoat that the sailor-boy had brought to her—she denied all knowledge of it—some girl there said she thought she had seen it—Mrs. Sheen said if I would call the next day she would let me know—I said that would not do for me, I must have it—I went up stairs and found the waistcoat in a chest, and saw the tippet there also—I took the waistcoat down, and the boy said he had sold it to Mrs. Sheen for 6*d.*—she denied it, and said he had left it there for 6*d.*, Mrs. Sheen then went up stairs with Mrs. Prescott, and found the tippet—I took them and the boy away, and came back with Power in about five minutes, to take the prisoner—we waited in the shop about half-an-hour, as the girl in the shop said Mrs. Sheen was gone to the other house in Wentworth-street, but I heard a noise up stairs, went up, and heard a door slam to—I called Power, we broke that open—the prisoner was not there—we went to another door, broke that open, and found her stuck in a little cupboard.

Cross-examined by MR. PAYNE. *Q.* Had you intimated an intention of coming back, when you were there first? *A.* Yes—I had seen a great deal of property there, and thought all was not right—she went up with us to search for it—she said she had no recollection of a boy having sold her any thing of the sort—she was standing upright in the closet—she seemed rather frightened.

DENNIS POWER (*police-sergeant H* 18.) On the evening of the 2nd of March I went with Trew to the prisoner's house—we were informed that she was gone to her other house, in Wentworth-street—we waited about half-an-hour, and Trew and I went up to the first-floor—that room door was shut, I caused it to be broken open, and found no one there—we found another door out of that room, which was locked—we called, no answer was given—Trew broke it open, and in the second room I saw a door which led to a closet—Trew pulled it open, and I saw the prisoner—I said, "Why not come out like an honest woman"—I said I took her for receiving stolen goods—she said she never took any—I took her to the station-house—she produced a receipt on the London and Westminster Bank for 54*l.* 13*s.* 6*d.*

(Louis Lyon, a licensed appraiser, in Bell-lane, Houndsditch; Sarah Anne Lucas, wife of a clerk, of Laurence Pountney-hill; and Patrick Hurley, labourer, Fashion-street; gave the prisoner a good character.)

GUILTY.† Aged 59.—Transported for Fourteen Years.

Fifth Jury, before Mr. Sergeant Arabin.

1133. WILLIAM JOHNSON was indicted for forging, on the 30th of March, a request for the delivery of three locks, with intent to defraud Samuel Woolley.—2nd COUNT, for uttering the same; to which he pleaded

GUILTY. Aged 39.—Confined Two Years.

1134. ANN BARKER and CHARLOTTE JONES were indicted for stealing, on the 29th of February, 1 gown, value 1*l.* 10*s.*; 1 cloak, value 1*l.* 10*s.*; 3 handkerchiefs, value 9*s.*; 1 scarf, value 3*s.*; 2 veils, value 4*s.*; 2 blankets, value 6*s.*; 1 pillow, value 3*s.*; 1 pocket, value 6*d.*; 1 box, value 10*s.*; 2 scent bottles, value 1*s.*; of Eliza Lockwood: and 1 gown, value 8*s.*; 2 shifts, value 4*s.*; and 2 handkerchiefs, value 2*s.*; the goods of James Merrett; to which they both pleaded

GUILTY.—Transported for Seven Years.

1135. JOHN EWINS was indicted for stealing, on the 23rd of March, 1 half-crown, the property of James Charles Jones, from his person.

JAMES CHARLES JONES. I am a sawyer, and live in Turner's-place, near the City saw-mills. On the evening of the 23rd of March I went out with a friend to buy a hat, we then met with some loose characters and they got into conversation—I think there were three ladies—I treated them to some gin and cloves—we went to three public-houses—I do not know the sign of the last, but it was near the turnpike—I came out and accompanied the prisoner whom I had become acquainted with at the second public-house, and he had gone with us to the last public-house—I went with him to the end of Henrietta-street, where he asked me to lend him half-a-crown—I would not—he then asked me to lend him half-a-crown on his watch—I was hesitating about it and he snatched the half-crown from my hand as I was about to return it to my pocket—he then knocked me down—the officer came and found me bleeding.

Cross-examined by MR. PHILLIPS. Q. You remember all this very accurately? *A.* Yes—I was not quite sober—the first public-house I was at that night was in Old-street, I went in there with a friend, a female, whom I had seen at the play one evening before, and I met her again that night, by chance, about nine o'clock; we went and had a quartern of gin between us—I accompanied her home to Henrietta-street, we had nothing to drink there—she went back with me to the public-house and I parted with her outside—it was then about half-past eleven o'clock—about twelve o'clock I was going home and met with another female—I went with her to the Britannia public-house, we had a quartern of gin there—two other girls were there who knew the girl I was with, and we all went over to the other side of the way to another public-house—I *stood* another quartern of gin there—I then went outside and the prisoner came up, he was a stranger to me, but he appeared to know the girls—they spoke together—we then all went to the Three Crowns public-house, at the corner of East-road—we there had half-a-pint of gin and cloves, nothing more, and then the females left—I had not pulled them about—they did not call me a monster and say they would have nothing to do with me—I did not give the prisoner a thump—I did not touch him—I did not say to him, "Halloo, old fellow, have you not got any further?"—he did not advise me to go home to bed—he did not say if I would lend him half-a-crown till to-morrow he would be obliged to me—he mentioned that he was a shopmate

or I should not have kept company with him—he did say if I would lend him half-a-crown he would pawn his watch in the morning and pay me—I saw the watch in his hand, which induced me to pull out my half-crown—I did not snatch at his watch.

NATHANIEL CATER (*police-constable N* 264.) I was on duty and heard a violent cry of "Police"—I went to the spot, the prosecutor was sitting down on the ground bleeding at the mouth, and the prisoner was standing over him with his clenched fist—I asked what was the matter—the prosecutor said, "This man has knocked me down and robbed me of half-a-crown"—on the way to the station-house the prisoner said, "That man lent me half-a-crown on my watch," and at the same time he produced this half-crown from his pocket and gave it me.

Cross-examined. Q. Did not the prisoner say he gave him half-a-crown? *A.* Yes, to get a woman, and he said he was going to lend the prosecutor his watch for the loan of the half-crown—he gave up his watch to me at the station-house—the chain of it is broken.

WILLIAM SAUNDERS (*police-constable N* 170.) I saw the prosecutor and the prisoner together in Old Street-road—the prisoner said, "This is our way home" the prosecutor said, "No, it is not"—the prisoner said, "Oh yes, it is, come along," having hold of his arm, I thought they were friends and I went away—in about ten minutes I heard a cry of "Police"—I saw the prosecutor on the ground, and the prisoner standing over him in a fighting attitude—the prisoner was disguised in liquor.

NOT GUILTY.

1136. JOHN GAVIGAN was indicted for stealing, on the 4th of April, 1 handkerchief, value 5*s.*, the goods of Henry Sylvester, from his person.

HENRY SYLVESTER. I am a clerk in Somerset-house. On Saturday night, the 4th of April, I was in Fleet-street, about ten o'clock—I had a handkerchief in my pocket—I felt a tug—I turned, and saw the prisoner putting my handkerchief into his breast pocket—I gave him into custody—this is my handkerchief—(*looking at it.*)

Prisoner's Defence. It laid down; I picked it up, and gave it to him when he turned round, and he gave me in charge.

GUILTY.** Aged 13.—Transported for Ten Years.—Convict Ship.

1137. ELIZA WOODHOUSE was indicted for stealing, on the 21st of March, 36 yards of ribbon, value 4*s.*, the goods of Rebecca Holmes.

MATILDA HANNAH LUCKIE. I am assistant to Rebecca Holmes, who keeps a linen-draper's shop at Hackney. On the 21st of March the prisoner, who was a stranger, came and inquired for some mouseline-de-laine dresses—she chose one, which was to be put by till half-past seven o'clock—she then looked at some fringe and lace, and then wanted to look at some lining for her dress—she went to the opposite counter, where her dress was, to see the colour—I saw her put something into a small bag which she carried, and which I imagined to be a piece of ribbon—I went into the next room, and stated what I had seen—my brother came out, and missed a piece of ribbon—he charged her with taking it—she denied it at first, and then said she had taken it, and begged forgiveness—I sent for a policeman—this ribbon was found in her bag.

WILLIAM JOHN LUCKIE. My sister gave me information—I went into the shop, counted the ribbons, and missed one piece—the prisoner at first denied having it, then said she had, and begged forgiveness.

(The prisoner received a good character.)

GUILTY. Aged 27.—Confined Two Months.

1138. MARY FITZWATERS was indicted for stealing, on the 15th of February, 2 sheets, value 3*s.*; 1 quilt, value 2*s.*; 2 shifts, value 1*s.* 6*d.*; 1 shawl, value 1*s.*; 1 table-cloth, value 6*d.*; 1 handkerchief, value 6*d.*; 1 pinafore, value 8*d.*; 2 aprons, value 1*s.* 6*d.*; and 1 curtain, value 6*d.*; the goods of John Harrold; and that she had been before convicted of felony.

SARAH TRIMBY. I keep a mangle, and live in North-place, St. Luke's. On the 15th of February I had these articles stated to mangle—when they were done the prisoner came and said, "I have come for a dozen of clothes that my girl brought"—I said, "I have got no clothes of yours"—she said, "Yes, these are mine," pointing to my drawers, where these things laid—there had been a girl there with some things, and I said, "Did your girl tell you about a place of nursing?"—she said, "Yes, and I am much obliged to you for it"—she then paid me for these things, and took them away—I am sure she is the person—I met her crossing the City-road about ten days afterwards, and watched her to where she lived—I had her secured.

SUSAN HARROLD. I am the wife of John Harrold. I took these articles to Trimby to be mangled—the prisoner is a stranger to me—I did not authorise her to go for them—a part of the property is here—(*looking at it*)—the rest is lost.

JAMES SUMMERS. My father is a pawnbroker, in Bath-street. I produce a quilt and a shift, pawned by the prisoner, in the name of Jones.

ANN COULTHORPE. I lodge in the house where the prisoner does—she offered me two sheets and a curtain on the 15th of February—I bought the sheets of her for 3*s.*

JOHN KERSHAW. I am an officer. I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—she is the person who was tried in the name of Mary Adcock.

GUILTY.* Aged 28.—Transported for Fourteen Years.

(There was another indictment against the prisoner.)

1139. THOMAS COOPER was indicted for stealing, on the 28th of January, 10 handkerchiefs, value 1*l.* 14*s.*; 1 coat, value 1*l.* 15*s.*; 1 jacket, value 1*l.* 7*s.*; 1 scarf, value 12*s.*; ¾ of a yard of kersymere, value 5*s.*; and 1¼ yard of satin, value 15*s.*; the goods of William Henry Ablett, his master; to which he pleaded

GUILTY. Aged 22.—Transported for Seven Years.

1140. JAMES BAKER was indicted for stealing, on the 1st of March, 1 box, value 2*s.*; and 4 sovereigns; the property of John Little, his master.

JOHN LITTLE. I am a milk-man, and live in Elizabeth-street, Pimlico. The prisoner had been in my employ for four or five years, to look after my cows, and to go out with milk—I had this tin box (*looking at one*) in my parlour—it contained money, amongst which was four sovereigns, to my knowledge—he was in and out of the parlour and the shop, and could have access to this box—I lost it on the 1st of March, but I did not miss it till the policeman brought me some papers which had been in it—I had kept the box locked with a brass padlock—it was broken open, and all the money gone—the prisoner had 2*s.* a week, and his board, lodging, and washing—he left me without notice.

JAMES SILVER. I am a policeman. I was on duty in Hyde-park, about half-past eleven o'clock on the 1st of March, and found this tin cash box concealed behind some fencing round a tree—I took it, and found some papers which enabled me to trace the prosecutor—there was no money in the box—I was in search of the prisoner, but did not find him till the 27th of March.

JAMES LIGHT. I am a policeman. I apprehended the prisoner on the 27th of March, in the Broad-way, Westminster—I took him to his master, he then said he took the box from his master's, that he took it into the park, and wrenched the lock off, and had spent part of the money in buying clothes in Westminster—I took him to the place he described, and they identified the coat and boots he had on as having been bought there.

GUILTY. Aged 17.—*Recommended to mercy by the Prosecutor.*—Confined Three Months.

1141. FRANCIS KAIN was indicted for embezzlement and larceny.

ROBERT NICHOLSON HALFHEAD. I am a cow-keeper, and live in New Inn-yard, Shoreditch. The prisoner came to my yard, on the 5th of March, and said he knew of a pig to be sold very cheap, if I would go and look at it—I knew him by sight, but had never entrusted him to do any thing for me—I hesitated some time, and at last I went to look at the pig—the person who had it asked 3*l.* 10*s.* for it—I offered 3*l.*, and left—at seven o'clock in the evening the prisoner and the owner of the pig came, the owner said I should have the pig for three sovereigns, and I paid him—the prisoner then said, "I have got nothing to do, I will bring the pig in the morning, let me have 6*d.* now," which I did—he never brought it—I afterwards saw him at the station-house—he said, "Don't book the charge, I have sent for the money, you will have it directly"—I said I wanted the pig, not the money.

RICHARD PETERS. I live with my father at Bethnal-green. On the 6th of March, the prisoner came and said he had come for the sow for Mr. Halfhead—I delivered it to him—my father had been paid for it the night before—he asked me to help him drive the sow a little way, and before I could get round, he was out of sight with it.

DAVID ALLKINS. I am a butcher, and live in Whitecross-street. On the 5th of March, the prisoner told me he knew of a fat sow for sale—I went and bid money for it—the next morning he brought it and said I should have it at my price—I gave him 58*s.* for it.

CHARLES PATTEN, (*police-constable K* 206.) I took the prisoner—he at first said he knew nothing about the pig, and then said he had sold it.

NOT GUILTY.

1142. SAMUEL ARMSTRONG was indicted for stealing, on the 2nd of March, 2 spoons, value 10*s.*; 4 knives, value 3*s.*; and 3 forks, value 2*s.*; the goods of Christopher Fryer.

MARY SWAINE. I am servant to Mr. Christopher Fryer, who lives at North-bank, Regent's-park. On the 20th of March the prisoner came to the house, about six o'clock (he had called on the 18th, but I did not know him—he was dressed as a sweep, and said it was time for the chimneys to be swept)—he came on the 20th in the name of our sweeper, and swept the kitchen chimney—the spoons were then on the shelves, and the knives and forks on the table—I left the kitchen for two or three minutes, and when I came back the other boy who came was up the chimney, and

the prisoner in the kitchen—they swept the chimney, and went away, in half-an-hour afterwards I missed these spoons, and knives and forks—they are my master's—(*looking at them.*)

MATTHEW AUSTIN. I am a sweep. The prisoner was out of place, and he asked me to let him stay with my boys at my place—I knew they went to the prosecutor's on the 20th, but I did not send them—when I heard of this I went and saw the prisoner in the station-house—I then went home, and found the two spoons and one fork under the bed on which the prisoner had slept, and the other things were in my cellar.

EDWARD KELL. I am a policeman. I received information, and took a boy named Noakes—I found the prisoner in a public-house—I told him of this—he said he had not been there, and knew nothing about it—he afterwards said he was sorry for it, and he never did any thing of the kind before—when the things were produced at the station-house he said he took them while the other boy was up the chimney.

(The prisoner received a good character, and his former master engaged to employ him.)

GUILTY. Aged 18.—Confined Three Months.

1143. ROBERT KEMP was indicted for stealing, on the 25th of March, 3lbs. weight of soap, value 1*s.* 6*d.*, the goods of James Ball, his master.

JAMES BALL. I am an oilman, and live in Duke-street, Grosvenor-square. I employed the prisoner for six weeks—I suspected him, and on the 25th of March, as he was leaving the shop, I saw he had something—I followed him, told him to come back, and I found this soap in his pocket—I asked him what he was going to do with it—he said, to take it home—he did not deny that it was mine.

GUILTY. Aged 48.—*Recommended to mercy.*—Confined Six Weeks.

OLD COURT.—*Friday, April 10th,* 1840.

Third Jury, before Mr. Sergeant Arabin.

1144. SARAH CUTLER was indicted for stealing, on the 10th of November, 1 cloak, value 30*s.*; 1 shawl, value 25*s.*; 1 veil, value 15*s.*; 2 gowns, value 3*l* 8*s.*; 1 ring, value 2*l.*; 3 petticoats, value 10*s.*; 4 shifts, value 10*s.*; 4 pairs of stockings, value 6*s.*; 2 bed-gowns, value 5*s.*; 1 collar, value 7*s.*; 1 scarf, value 13*s.*; 2 handkerchiefs, value 3*s.*; 1 pair of stays, value 2*s.*; 1 pair of shoes, value 2*s.*; 1 cap, value 4*s.*; 1 bag, value 2*s.*; the goods of Joseph Massingham: 1 umbrella, value 5*s.*, the goods of John Joyce: 1 collar, value 2*s.*, the goods of Sarah Ackley, in the dwelling-house of Joseph Massingham and another: to which she pleaded

GUILTY. Aged 21.—Transported for Ten Years.

1145. JOHN RAM and JAMES RAM were indicted for stealing, on the 24th of March, 2 squares of glass, value 2*l.*, the goods of John Mayhew.

JOHN MAYHEW. I keep a livery-stable in Great Ormond-yard, Queen-square. On the 24th of March, about six o'clock in the morning, I missed two coach-glasses from a landau in the mews—I found the prisoners in custody with them—(*looking at them*)—these are them—the glasses are out, but the frames are here, and fit them—I have seen the prisoner John Ram before, loitering about the yard.

WILLIAM TARRAN. I live at the Crown public-house, in Great Ormond-yard. On Tuesday morning, between six and seven o'clock, I observed the prisoner James take two carriage-glasses off the dunghill—they were covered over with dung—he ran away with them up the yard—I was in my bed-room—I raised the window to give an alarm, but could not see any body—I dressed myself, went down, and informed the ostler.

JOSEPH WATLING. I am a carpenter. On the Tuesday morning, shortly after seven o'clock, I saw the prisoners in Swinton's-fields—they crossed over into a hollow with these glasses in the frames under their arms at the back of my premises—I saw them knocking the frames from the glasses—I went in pursuit, and met a neighbour—we followed them to the top of the street—a policeman then came, and took James, who had the two glasses—they were then out of the frames—he gave them to my neighbour, and pursued John—they were each engaged knocking the frames out of the glasses.

STEPHEN RYE. I am a policeman. I was in Gray's Inn-lane on the 24th of March—I saw the prisoners cross the road—James had the glasses under his arm—I walked over, and told them to come to the station-house—the other ran away—a man came up, and said, "You should take the other also"—I gave James to him while I ran and brought John back.

JOHN RAM—GUILTY. Aged 19.—Confined Six Months.

JAMES RAM—GUILTY. Aged 21.—Confined Nine Months.

1146. PHILIP GEORGE BRAGG was indicted for stealing, on the 31st of March, 1 jacket, value 12*s*., the goods of Nathan Phillips.

NATHAN PHILLIPS. I am a slop-seller, and live in High-street, Shadwell. On the 31st of March, about half-past two o'clock, I was returning home—a coal-wagon passed my door—I saw the prisoner go round it, drag a jacket from my door-post, and run away with it—I ran after him, secured him, brought him back with it under his arm, and gave him in charge.

GUILTY. Aged 18.—Confined Three Months.

1147. JAMES GRANT was indicted for stealing, on the 8th of April, a pair of trowsers, value 10*s*., the goods of Ann Cameron.

CHARLES YATES. I am servant to Ann Cameron, a silversmith and jeweller, in Farringdon-street. On the 7th of April, about half-past ten o'clock, somebody gave me information—I went out, and saw the prisoner about half the length of the Old Bailey from the house, with two pairs of trowsers—I secured him with them—he had taken them off a rail under the window.

GUILTY. Aged 17.—Confined Three Months.

Before Mr. Baron Alderson.

1148. FRANCES BRIMMACOMBE was indicted for the wilful murder of a certain male child.

MR. RYLAND *conducted the Prosecution.*

JOHN GREGORY FORBES. I am a medical student at University College. I remember the prisoner lodging at No. 31, Grafton-street East—I attended her on the 25th of August last—(she had previously called on me with a letter from the hospital to attend her)—I delivered her that day of a full grown male child—it was a fine child—one, if not two women were present at the time—Elizabeth Beaby was one—I attended her until the 4th of September—she and her child were doing well, and my attendance

then ceased—I called at the house on the 4th of October, and saw the prisoner—I have no recollection of seeing the child, nor whether I asked after it—I saw her again about the middle of November at the Middlesex Hospital—she was under treatment there for an inflamed eye, as an out-patient—I then asked her after the child, and she said it was dead—I asked what caused its death—she said the same disease which she had been labouring under, which was hemorrhage of the bowels—I saw her several times after, but have no recollection of any other conversation with her.

WILLIAM JAMES ERASMUS WILSON. I am a surgeon, and live in Upper Charlotte-street, Fitzroy-square. I saw some bones on the 25th of February at the house of a policeman named Parke—there were twenty-two bones altogether—ten of them were human bones, seven were of the head, two of ribs, and one of the arm, and all were of the left side of the body—they were the bones of an infant—several that I examined decidedly belonged to the same individual, and I should think they all did—from their size the child was certainly full-grown, and I should think had lived about three weeks—I cannot speak with accuracy on that subject, but there was sufficient indication to lead me to conclude so—there was nothing to indicate the sex.

SARAH CAROLINE DILLINGHAM. In August last I lodged at No. 31, Grafton-street East—the prisoner lodged in the same house—I remember her being brought to bed—I attended her as nurse—I attended to the child—it was a boy—I nursed her for three weeks—both mother and child seemed quite well when I left her—I went from her to nurse Mrs. Gray, the landlady, in the same house, and was with her three weeks—I saw the prisoner coming in and out, but never saw the child after the first three weeks—I was not on good terms with her—I quarrelled with her before I left—I went into her room once after that to borrow something for a person in the next room, and I asked her how the child was—she said it was doing pretty well, and that it was at Walworth—while I was nursing her I fetched some laudanum for her from Mr. Williams, in Tottenham-court-road—I brought in a phial with a label "Laudanum—poison" written on it—I gave it to the prisoner, and she took some of it herself—I cannot say whether I bought a penny worth or two penny worth—she took it because she said she was not very well—shortly before I left Mrs. Gray I saw the prisoner with a black ribbon on her bonnet.

ELIZABETH BEABY. I am the wife of Thomas Beaby. In August last I lodged at No. 31, Grafton-street—I remember the prisoner being brought to bed—I washed the child, and saw it daily for about three weeks, and two or three days—the last time I saw it she was taking it down stairs—there was a person named Mary Christenson with her, who had the prisoner's elder child with her—I did not see the face of the infant at that time—it had been in very good health up to that time—I saw them on the staircase—I did not see them go out, but when the prisoner returned she came to my door, and said she had been very lucky, that she had got a nurse for her child—I asked her where—she said she had taken it to Walworth—(she had told me before she must take it out to nurse, as having two children she could not do her work—she took in needle-work)—I saw her next morning—she said she was going to buy flannel and other things for the child, as the clothes it had were not good enough for the respectable place it was at—a day or two afterwards she went, as I thought, to visit the child—I inquired after it, she said it was doing very nicely, and she was much pleased that it had so good a nurse, and so respectable a place

—when the child would be about six weeks old a letter was brought to the door by a boy—the prisoner was not at home—the person who took the letter in lives in the front-room—she brought the letter up to me, and asked me to take charge of it—I would not, and saw her put it under the prisoner's room door—next morning the prisoner came to me—she seemed in very great trouble, and told me the letter which was brought on the Sunday was to announce the death of her child—she said it died of convulsion fits—after that she went into slight mourning for it—a few days afterwards she came to my room, and asked if she looked respectable enough to go to follow the baby—she had on mourning—she said she was going to see her child buried—I asked her where it was going to be buried—she said the person who had the child would see to that—when she returned she told me where it had been buried, but I cannot recollect the name of the place—the prisoner said, some time after, that she was sorry she ever put the child out, if she had not put it out it might have been alive now, and she should never have put it out if it had not been for that *Poll*, meaning Mary Christenson—at the time the prisoner was taken up, Christenson had been lodging with her for a month or five weeks, in the same room.

Cross-examined by MR. CHAMBERS. *Q.* How long have you known Christenson? *A.* I only knew her by coming backwards and forwards to see the prisoner, and afterwards she came to live with her.

COURT. *Q.* Had they had any quarrel? *A.* I never heard of a quarrel between them.

SARAH GRAY. I am the wife of William Gray, and keep the house, No. 31, Grafton-street. The prisoner lodged with me—I was present at the birth of her child, on the 25th of August—I frequently went into the room, and saw it for about three weeks and three days—I remember, about that time, seeing the prisoner and Christenson—I did not see them go out—I saw them come in without the baby—the other child was with them—they went out the next day, but I did not see them go—the prisoner told me they had taken the baby to Walworth, to nurse—that was some time after—she afterwards told me of the letter coming to her, that the baby was dead, and she was going to bury it at Walworth, and that it died of convulsions—the night she had buried it she came down to me, and told me she had buried it at Walworth—it appeared a very fine baby when I saw it.

SOPHIA HOLCOMBE. I am the wife of James Holcombe. I lodged at No. 31, Grafton-street—I never saw the prisoner's baby—I remember a letter coming for her—she was out at the time—I took it up and put it under her door—she afterwards thanked me for taking it in.

MARY CHALMERS. I am the wife of Charles Chalmers, and live at No. 55, Monmouth-street. I knew the prisoner—Christenson was in the habit of calling occasionally on me—the prisoner never came to the house with her—I heard of some bones being found—a person could get from the street to the place where they were found, by the street-door, without coming into the house.

MARY ELIZABETH CHRISTENSON. I lodged in the same house with the prisoner, at No. 31, Grafton-street East, for about a month—I have known her about two years, but not to be intimate with her above nine or ten months—I remember her being delivered of a child in August—I saw her and the baby—I continued to see the child there for about a month—I

went one morning, and found the prisoner in bed—I asked why she was in bed so late—she said she was tired with being at Walworth the night before, where she had taken the child to be nursed—I never saw the child after that—I did not see it then—if it had been with her in the room I should have seen it—she said she should go and see it next Sunday—I do not know whether she did go any where on Sunday—about a fortnight after it was gone to nurse she told me she had received a letter to say that the child was dead, and that it died of convulsions—she went into mourning for it—she had some clothes there—she said that in going along when she went to see the child, she had bought some new clothes for the child—those she had there were old clothes—she put the old clothes up together, and told me she was going to sell them—I asked her why she sold them—she said she had no further occasion for them—that was after she said the child was dead—she said on the day I gave the information, that she had given the child laudanum, and had put it down the water-closet in Monmouth-street—I have known Mrs. Chalmers some time—I occasionally went to see her when she lived in Monmouth-street—the prisoner has gone with me to the door, and waited outside, but never went in there—she knew Mrs. Chalmers by name, that is all—she said she had put the child where Mrs. Chalmers had lived—she told me before that that the child was buried at Walworth, but I do not remember the place—I have often seen laudanum in her room—I never saw her take any—she said she had it for the lumbago and other pains she was subject to—on the 5th of November she asked me to go down to Romford with her—I asked what for—she said, to see Robert Yell, the father of the child—I asked why she wanted to go to him, as the child was dead, and buried at Walworth—she said, if he paid the funeral bill, or part of it, it was all she wanted—we went down to Romford; we saw Yell, but I did not hear her say any thing to him about it—when she came back I asked her why she did not speak to him about it—she said she knew he was coming to London on Monday, and she could have a better opportunity of speaking to him about it then.

Cross-examined by MR. CHAMBERS. *Q.* Are you single? *A.* Yes—I am a stay-maker—that is the only way I get my living—I know a person named Stevens, an ivory-turner—he is no relation or connexion of mine—I lived servant in the same house with him—he was not robbed while I lived there—he did not complain of losing any thing while I lived there—I never lived servant to him, but in the house where he lodged—it was about a year or a year and a half after I left that house that he complained of being robbed—he did not say he had been robbed during the time I was there—he charged me with the robbery, because I was in the habit of going backwards and forwards to the house—he charged me with stealing money and jewellery—I used to go there to see him at all hours, night and day—I sometimes passed the night there—I did not visit any body but him—I was in the habit of visiting him in that way about twelve months—that was while I was acquainted with the prisoner—she knew of it—I have never had any quarrel with the prisoner—I never called her a name in my life—I do not know Margaret Heard—I lived at No. 31, Grafton-street for about a month—I believe Margaret Heard lodged there—I have seen her—the prisoner never called me a wh—, nor I her—I never went out in company with the prisoner and the child—I did not go out one Sunday with the child—I never went out with both the children—I never went out with the elder one, and she with the baby, and came back without

the baby, not at any time—I never went out with her and the baby—the prisoner and I were often out together—I do not recollect Mrs. Gray seeing me return with her and the other child, without the baby—I never was out with her with both children—I was very intimate with the prisoner—she never went out with me and left the baby at home while I was there—I will swear that the prisoner did not mention a word to Mr. Yell about the funeral expenses—I was near enough to hear what they said—I never left the room—I heard all the conversation which took place between them—she did not mention a word to him about the funeral—she asked him during the time we were at tea whether he had been up to London lately—he said he had, and according to the statement in her last letter had called at No. 31, Grafton-street, and a person said no such person lived there—she said it was very strange—she asked when he was coming again—he said, on Saturday, and he made an appointment to call on her.

JOHN PARK (*police-constable E 5.*) In consequence of information, I took the prisoner into custody on the 21st of February, at No. 31, Grafton-street, at her lodging—I told her I had been informed she had given birth to a child about the 25th of August, and several people in the house were dissatisfied, as the child left the house in a strange kind of manner—she said she would give me every satisfaction about it; the child was well and hearty—I asked where it was—she said she had received a letter from the father to meet him at the Horns tavern, Kennington, and she met him there and gave him the child—I desired her to show me the letter—she said she had destroyed it—she made search about the room, and said she was sure she had destroyed it—she could not find it—I asked her who the father was—she said she did not know, she could not tell me—I asked if she knew where he was—she said she did not know—she said she knew he was a married man—I asked her if she had not reported the child dead—she said she had, as the people in the house were very inquisitive, and she was obliged to tell them that to satisfy them—I asked her when she had seen the child—she said, not since she took it to the father—I asked if she had not been in mourning for it—she said she had not—Mary Christenson was present when I took her—I received the information from a Mr. Kent, which led me to go to No. 31, Grafton-street, and I there saw Mary Christenson, who gave me information which made me take the prisoner—I have a phial which I found in the prisoner's room—Christenson, who took me to the house in Monmouth-street, told me the side-door was always left open, and I was to walk through the passage into the back-yard, and the water-closet was right before me; that the water-closet emptied itself into the common-sewer, and the mother had said she had no thought of it being found, as the water-closet emptied itself into the common-sewer—(I went to Mr. Field, the landlord, and asked him if the water-closet did empty itself into the common-sewer)—the bones were found in the cellar, not in the water-closet—it is supposed the water-closet had been emptied into the cellar—I found the bones there, which I gave to the surgeon—I stated to the Magistrate the conversation I heard between the prisoner and Christenson—that conversation was in the Magistrate's hearing, and I believe the Magistrate took it down.

COURT. The Magistrate has taken down what you said she had said, but the deposition states that the prisoner said nothing.

NOT GUILTY.

1149. GEORGE SQUINCE, MARTHA HODGSON, and SARAH BURCHELL, were indicted for feloniously making 3 pieces of counterfeit

coin, resembling, and apparently intended to resemble and pass for three of the Queen's current shillings.

DENNIS POWER. I am a police-sergeant. I went, on the 3rd of April, with two other officers, Trew and Ifelan, to No. 61, Nelson-street, Bethnal-green—I went to the back-room door, on the ground floor—it was fastened—I broke it open, and found the three prisoners in the room, huddled up round the fire, in a sitting position—on going in the female prisoners both commenced screaming—one of them said, "We are *done*, we are done"—I cannot say which that was—Squince had a mould in his left hand, and a tobacco-pipe in his right—he was in the act of pouring something into the mould—I could not see what it contained—Burchell, who sat alongside of him, had a file in her right hand, and a shilling in her left, which she threw on the floor, towards the fire—Hodgson had her right hand extended toward the fire, but I could not see what she was doing—I immediately collared Squince—he threw the mould out of his left hand on the floor, and began kicking violently—I was assisted by Ifelan, who laid hold of him—we succeeded in pulling him away from the fire—he attempted to break the mould, but did not succeed—Ifelan kept him in one part of the room while I searched—at the time he dropped the mould a shilling fell out of it—Burchell picked it up, and threw it on the fire—I commenced searching, and found half of a mould, which I produce—it was half of what Squince threw down—I then took four counterfeit shillings, in an unfinished state, off the mantel-piece over his head—I saw Trew take two counterfeit shillings from the same place—there was a pipkin red hot on the fire, with a quantity of metal in a fluid state—I found two files close to Burchell, and a tobacco-pipe, which Squince had been using—I found a quantity of broken moulds in the ashes, and another pipkin, and two wet rags, which are used to hold the moulds—I found a piece of tin on the fire, which was red hot—that is used to dry the moulds—I had the prisoners handcuffed, and Hodgson had an infant in her arms—she said, "Oh, we shall be sent out of the country for life—never mind, George, I shall go with you"—Squince said, "No, we shall not go to the same country"—I sent them to the station-house.

GEORGE TREW. I am a policeman. I found the whole of a sixpenny mould, and the whole of a shilling one—I found four counterfeit shillings, one was quite hot, I could hardly hold it—I saw this one drop from the mould—Burchell flung it on the fire, and I took it off.

MR. JOHN FIELD. I am inspector of coin to the Mint. Here is half a mould, produced by Power, and the other by Trew—the two form a mould for counterfeit shillings—the eight shillings produced are all alike, and, I believe, have all been cast in this mould—here is another mould for sixpences, and also a good sixpence in it, by which it is made—it does not appear to have been used for casting at all—the files are used to remove the surplus metal, after they have been cast—I have examined the metal in the pipkin—it is a similar kind to that the shillings are made of.

Squince's Defence (*written.*) "What the officers have stated is nearly the truth; at the same time, I beg to explain how I have been led to commit the crime. On Friday last I was sitting in my apartment, in Nelson-street, when a man, named Birch, came in, and asked my permission to make a mould or two at my place; and not being aware of the responsibility I was under, I gave him leave. He made two, and said, if I would give him 10*s.* he would learn me how to make them. He put some metal on the

fire, and immediately began to work at some. He wished to go out for a few minutes, and put a mould in my hand, which he desired me to hold safe in my hand till he brought some metal. He had not left two minutes before the officers burst the door open, and came in. The base metal and coin found in my room was what Birch had brought and worked. I never before was tried for a like offence: I hope your Lordship will perceive I have been ensnared by Birch, and will extend mercy to me."

Burchell's Defence (*written.*) "On the day in question I went to the house of the prisoner, to see another person, who was not at home. I was tempted by curiosity to stop, and see what they were doing; and while I was there the policemen forced in, and apprehended the whole of us. Had I had any knowledge I was doing wrong I would not have remained in the room; but being young, only nineteen, I did not contemplate I was doing wrong: it was mere curiosity induced me to stop."

SQUINCE*—GUILTY. Aged 19.
BURCHELL*—GUILTY. Aged 19. } Transported for Ten Years.
HODGSON*—GUILTY. Aged 18.

1150. RUTH MILES was indicted for feloniously and knowingly uttering a counterfeit half-crown to Elizabeth Beedle, on the 18th of March; having been before convicted of uttering counterfeit coin.

CALEB EDWARD POWELL. I am assistant solicitor to the Mint. I produce a copy of the record of the conviction of Ruth Miles with another at this Court in November, 1838, for uttering counterfeit coin—I have examined it with the record, it is a true copy—(*read.*)

MR. JOHN FIELD. I was present at the trial of Ruth Miles and another in this Court in November, 1838—the prisoner is the person who was convicted.

THOMAS BLAKEMAN. I live in Judd-street. On the 18th of March, a little after one o'clock, the prisoner came to my shop with a girl, she bought some muslin, which came to 10½*d.*, and tendered half-a-crown, which I examined, and told her it was bad—they then went away, saying they would get other money, and fetch the goods—I put the half-crown in paper, and placed it in a private drawer—I afterwards gave it to Howard, the policeman—she did not return—she was not more than five minutes in the shop—I am certain of her—I saw her in custody three days after—I did not know her before.

ELIZABETH BEEDLE. I am a servant of Mr. Gilbertson, a baker in Judd-street. On the 18th of March, about two o'clock, the prisoner came to the shop with another girl about her own age—the prisoner asked for a half-quartern loaf, which I gave her—she tendered me half-a-crown—I went to the till, and took 2*s.* out—I then took the half-crown from the counter, and told her it was a bad one—I took back the 2*s.*, put them in the till, and told her I must show the half-crown to Mr. Gilbertson—I do not recollect that she said any thing—I immediately gave it to Mr. Gilbertson, who sent for a policeman, who took her.

Prisoner. It was not me offered it to you—you put it in the till, then took it out, and said, "I have two bad half-crowns here, one of you must have given me one." *Witness.* It was the prisoner gave it to me out of her hand—I had no other.

WILLIAM WALKER GILBERTSON. I came into the shop, and found the prisoner and another girl there—Beedle gave me half-a-crown, which I

gave Howard the policeman—I had another half-crown, which I showed the policeman, but did not mix it with this.

THOMAS HOWARD. I am a policeman. I was called in by Mr. Gilbertson—I received from him this half-crown—I took the prisoner and the other into custody—I called on Mr. Blakeman two days after, and received half-a-crown from him.

Prisoner. The two were given to him out of the till, and she showed him the two. *Witness.* She might show me two, but I was too much engaged with the prisoner—I only received one from Mr. Gilbertson, and do not recollect seeing any other.

MR. JOHN FIELD. These half-crowns are both counterfeit, both cast in one mould, and alike in all respects.

Prisoner's Defence. The other girl is guilty of uttering the money, I did not do it at all; she was tried before, and acquitted.

MR. JOHN FIELD *re-examined.* The other was discharged by the Magistrate, as it was stated that she took no part in the transaction.

GUILTY. Aged 17.—Transported for Fifteen Years.

(The prisoner had been convicted three times before.)

1151. ELIZA EMMS was indicted for unlawfully, maliciously, and feloniously assaulting Robert Emms, on the 28th of February, and cutting and wounding him upon the left side of his head, with intent to do him some grievous bodily harm.

ROBERT EMMS. I am the prisoner's husband—we have been married four years. On the 28th of February I came home about half-past six o'clock from work—I found her drunk, and said, "You have been drinking"—she said she had not, and got up to scratch my face—I said, "You have scratched my face many times, if you do it I will knock you down"—she sat down for half a minute, and seized the poker with her right hand—I saw it, and having had it twice before, I tried to get out at the door—she went round the table, and knocked me down on the sofa with the poker, which she held in both hands—she struck me over the head with it, and said, "Take that, you b——"—I was insensible for several minutes, and when I came to myself she said I had better go to the doctor's—I opened the door, and got down somehow or other, and when I got to the bottom the landlady said, "What is the matter?"—I said, "My wife has struck me with the poker"—she put me on a chair, and bathed my head with some water—it bled violently—I afterwards went to Mr. Healey, the surgeon, who dressed my wound—I had given her no provocation but what I have stated.

Cross-examined by MR. PHILLIPS. *Q.* How old was the prisoner when you married her? *A.* Seventeen—I was not about separating from her, she has left me for a week together and came home intoxicated, and she would throw herself down on the tap-room floor exposing herself to fifty people—we have had quarrels before.

LAURENCE HEALEY. I am a surgeon. The prosecutor was brought to my house on the night in question by his fellow-workmen—he had a wound on his head to the extent of about three inches, and quite to the bone, he was labouring under concussion of the brain—I judge had the blow come in a direct line it would have fractured the skull and caused death—it was such a wound as would be made by a poker—he was in a dangerous state for about a fortnight.

(The prisoner received a good character.)

GUILTY of an Assault only. Aged 21.—Confined Six Months.

1152. MARY LAWSON and MARGARET HALL were indicted for a robbery on Robert Newman Sanders, on the 18th of March, taking from his person and against his will, 1 knife, value 1*s.* 6*d.*; 1 box, value 1*d.*; 16 pens, value 2*d.*; 1 cork-screw, value 9*d.*; 1 half-crown, 2 shillings, and 1 sixpence, his property; and immediately before, at the time of, and after the said robbery, striking, beating, and using other personal violence to him.

ROBERT NEWMAN SANDERS. I am a foreman in the West India docks, and live in Sophia-street, Poplar. On the 18th of March, about two o'clock in the morning, I was in Vinegar-lane, going home; I had got opposite the Two Mariners public-house, and saw four or five women standing on the pavement by a door there—(I had been up in town on business and was going home)—I know the prisoners were two of them—Hall stepped towards me and wanted me to go in doors—I cannot exactly say what she said—I refused and was about passing on—I then got abreast of the door, and instead of letting me pass the women hussled me into the passage and threw me on a bed in the room—there were five women round me—I cannot say whether there were more—I was thrown on the bed, my legs were taken from under me by somebody, and I was thrown on my left side, and was kept down by one holding my head—Lawson held my right arm back, while Hall tore open my coat—I struggled all I could—Hall stood between my legs, tore open my coat, and took half-a-crown and 2*s.* 6*d.* from my waistcoat pocket, and a knife, a cork-screw, and a small box of steel pens from my trowsers pocket—they left the room—I followed them and called "Police"—nobody came, and I went to the station-house—a policeman went back with me to the house—I found Lawson and another woman there—I could not identify the other, but I gave Lawson in charge—in going to the station-house she said she had not got my property, but *Woolwich Ann* had, and she was gone to Walker's, in Albion-street—we went there and found Hall in bed with a man there—I saw the constable find my knife, cork-screw, and box of steel pens in that room by the side of the bed—I was perfectly sober.

Margaret Hall. He went into the house with me and gave me 6*d.*—he was with me there a considerable time—the woman came and said the room was wanted, and he went away; he came back in two hours and said I had robbed him—I said, here are some things he had left here and should keep them, supposing he was gone—I had been drinking all night.

SAMUEL LEWIS. I am a policeman. The prosecutor came to me on the morning of the 18th of March, about a quarter to three o'clock—he was quite sober—he complained of being robbed—I went with him to the house, and took Lawson—she denied having been in the room with him at first—I searched for his property, but I could find nothing—I took her to the station-house, and she said it was *Woolwich Ann* had been with him and he was quite sober, and in her bed-dress.

SAMUEL HOOD. I am a policeman. I apprehended Hall between four and five o'clock in the morning, in Albion-street, in bed with a man—I found a cork-screw and box of steel pens near the bed, and a knife on the mantel-piece—while I was searching she ran down stairs into a neighbour's house four or five doors off—when I took her she denied the robbery, and said

would the prosecutor be satisfied with his property back—I said I should not allow that.

ROBERT NEWMAN SANDERS *re-examined.* These are my things—they were not in the same pocket as the money—I am certain it was Lawson held my arm—there was a candle on the table.

Lawson's Defence. It is false, I never was in the room.

LAWSON—GUILTY. Aged 35. } Of the Robbery without
HALL—GUILTY. Aged 25. } violence.

Transported for Fifteen Years.

1153. CATHERINE M'GINN was indicted for stealing, on the 15th of March, 1 cash-box, value 3*s.*; 3 sovereigns, 4 half-crowns, 7 shillings, 4 sixpences, 1 bill of exchange, value 40*l.* 9*s.* 3*d.*; 1 other bill of exchange, value 61*l.* 8*s.* 2*d.*; and 1 other bill of exchange, value 19*l.* 12*s.*; the property of Ebenezer Fox, her master, in his dwelling-house.

EBENEZER FOX. I am a colourman, and live at No. 50, Old Compton-street. At the time in question I lived in Frith-street, in the parish of St. Ann Westminster—the prisoner was my servant of all work for between two and three months—on Sunday the 15th of March I went out about half-past six o'clock, leaving my cash-box in a drawer in my bed-room—she had access to the room, and had seen me every evening take my cash-box up stairs—it contained 3 sovereigns, 19 shillings, in silver, a bill for 61*l.* 8*s.*, one for 40*l.* 9*s.*, one for 19*l.* 10*s.*, a great number of papers, and a 1*l.* forged note—I saw them safe on Saturday night about twelve o'clock—the drawer was not locked, but the box was—I went out at half-past six o'clock—came back about half-past eight, and met Hawkins at my door—in consequence of what he said I went up stairs and called the prisoner down—she was up in her bed-room—I asked her what she had been doing—she said, "Oh, Mr. Fox, I have broke open your tin box"—I asked what she had done with the papers and contents—she said, "Come up stairs, I will show you; the devil tempted me at the moment, and you can do what you like with me"—I went up and found the cash-box replaced, but broken open, and all the contents, except 1 half-crown in it—the forged note was not there.

RICHARD HAWKINS. I am a porter, and live in Phœnix-street, St. Giles's—I have known the prisoner about two months. On Sunday night she came to my lodging at a quarter before seven o'clock, and wished me to go to the London and Birmingham railway with her, as she expected to meet her cousin there—I went with her, as I was to carry her box, but we did not meet him there—while we were waiting for the train coming in she shook some silver from her bosom—I saw her pick up two or three shillings—when we were coming away she showed me a Bank-note, with "forged" printed on it in four different places—we afterwards went into a coffee-shop—she had a good many papers there—one was respecting two houses near Bridport-street, Marylebone—we left the coffee-shop—she made a full stop, and said the devil a foot further would she go towards her master's house—I asked her for what reason, and she told me and my wife that she had broken open her master's tin-box—I walked on, and she walked with my wife—I went right up to Mr. Fox's house—he was coming in with his family from church, and I told him this.

HENRY DODD. I am a policeman. I took the prisoner, and have the cash-box—I did not search her—we could not find the forged note.

RICHARD HAWKINS *re-examined*. This paper in the box was what she handed to me in the coffee-house.

MR. FOX *re-examined*. That paper was in my box—I have found all my property, except one half-crown—two shillings were found on her afterwards.

GUILTY. Aged 18.—Of Stealing under the value of 5*l*.—*Recommended to mercy by the Jury and Prosecutor*.—Confined Eight Months; the last Month Solitary.

1154. IGNATIUS BRATHWAITE was indicted for a robbery, on the 29th of February, on Mary Neate, taking from her person and against her will, 1 bag, value 1*s*.; 1 brooch, value 2*l*.; 1 key, value 4*d*.; 1 handkerchief, value 6*d*.; 1 sovereign, 1 half-sovereign, 5 half-crowns, and 1 halfpenny, her property; and immediately before, at the time of, and after the said robbery, striking, beating, and using other personal violence to her.

MARY NEATE. I live in Boston-street, Regent's-park. On a Saturday, early in March, I was returning from Portman-square, going up Baker-street, close to the wall—the chapel clock struck five when I was in Portman-square—I had a reticule in my hand, twisted round my arm, and the cord round my two fingers—a man threw his person upon me, almost felled me to the ground, and dragged at my reticule two or three times—he could not get it off, as he would have broken my arm if he did—it was a new reticule, with a yellow silk cord—his hat was over his face—I could not recognise his face—a woman was standing by the chapel—I called out, "Come and help me there," "A thief"—she stood like a statue, and never moved—he afterwards joined that woman—he did not leave me when I called out, but he squeezed my throat, and pressed me against the iron railing of the empty house which he attacked me at—I said, "Help, help!"—he said, "I will help you, if you will give me your bag"—I said, "Will I give you the bag? You shall try hard for it first"—he squeezed me almost to death, I have never had a day's health since—my arms have been black and blue for six weeks—I was full half-an-hour struggling with him, and not an omnibus or any thing passing all the time—nobody came to my assistance—it is most extraordinary—he took my reticule, with the contents, from me, and ran off with it—he snapped the cord, and all my fingers were cut, and my hand cut, as if it was with a knife—here is the mark now—he disabled me so, he got my reticule at last—there was a purse silk purse in it, one sovereign of George the Fourth, quite a new half-sovereign of Queen Victoria, and, I think, five half-crowns—I had changed a sovereign in the morning, to buy some tea—there was also an emerald brooch in the bag, with a pearl, a large key of the house, and a pocket-handkerchief—I got up to Finlay's public-house, and I saw him go up Adam-street with the woman—she opened the door of a house without knocking, and went in, and presently I saw the reticule thrown up in the air—he threw it into some house he was acquainted with—I do not know where it fell—I lost sight of it, but did not lose sight of him—I could not walk, I was so disabled—I saw Webster, the witness, and said, "Be so good as to run after that man and woman, and say he has got my reticule" I pointed the prisoner out to Webster—I continued on that side till a gentleman came up to me, and said, "Make haste up, a young carpenter has secured the man"—I had not lost sight of him—I saw the carpenter with him—I saw him scuffle with him, and beating him, and trying to get from him.

Prisoner. She said at the office, it was a man with a long brown coat, and that the man spoke to a tall woman, and that the man's hat was over his face. *Witness.* I never had my eyes off the man—you are the man that went to the house.

ELIZABETH CHRISTIAN WEBSTER. I am fifteen years old, and live in Bullard's-court—I was coming down Baker-street with my father, and saw the prosecutrix—I saw a man knock her down—she fell by the iron railing, and he took a bag from her—he then ran down Adam-street as fast as he could run—I do not know how long it was from the time of his going up to her to his taking her bag—it was a little while—I was on the opposite side—they appeared to struggle for a little time—I did not see him stopped—I did not see his face, and could not swear to him—I did not see any tall woman near.

JOHN JOSEPH WEBSTER. I am the father of the last witness. I was walking with her, and saw a man struggling with the prosecutrix—after he took the bag he ran down Adam-street—I did not see him stopped—I did not see a tall woman there—it was gas light—I did not see his face, and could not swear to the prisoner.

WALTER READ. I am a carpenter. I was coming down Adam-street from my work, and heard the cry of "Stop thief"—I saw a man running at full chase down the middle of the road—there was nobody in the street but him that I could see—I flew at his collar, and stopped him—the prisoner is the man I am quite sure—I held him till the policeman got him—he said, "What have I done? Let me go, I have done nothing," and began wrestling with me—the prosecutrix came up after I had him a little while; but some children ran up first, and said he had stolen a bag—the lady then came up, and said all she wanted was her bag, and the money would not do him any good, and soon after the policeman came—the prisoner said to me, "Search me, I have done nothing"—he was not searched in the street—I delivered him to Macdonell, the policeman—there was nobody running but him, that I could see, but it was a dark night.

EDWARD MACDONELL. I am a policeman. I took the prisoner into custody—he was in a crowd among several people—Read had not hold of him when I came up—he was standing in the crowd—Read pointed him out as the man—I asked the lady if she would charge him with the robbery—she said, no, she would sooner lose the property than give him in charge, and wished to let him go—he was willing to go to the station-house to be searched—she said she would not go to the station-house, but if he had the bag to give it up, that was all she wanted—I let him go, as there was nobody to charge him, and she would not give her name or address, or any thing—about twenty minutes afterwards, as I was going round my beat, I saw him going along Adam-street—he looked down the different areas, knocked at No. 25, and went down with the lady of the house to see if the bag was there which a lady had dropped—I saw him in the area, and when he came up to the door I asked what he wanted there—he said, "A little girl told me a lady had dropped a bag down the area, I have come to inquire for it"—I said, "You are the man I have seen to-night before"—he said, "No, you have not seen me before"—I took him—Treadwell brought a bag with its contents to the station-house—the inspector delivered it to me in his presence.

JOHN TREADWELL. I found a bag down in the area of No. 16, Adam-

street East, on Saturday, the 29th of February, as near seven o'clock as possible, between seven o'clock and half-past—I delivered it to the inspector, and saw him deliver it to Macdonell—the house No. 16 is on the same side as the chapel.

Mary Neate *re-examined.* That is the bag I lost, and here is my purse in it—here are only five half-crowns in it—the sovereign and half-sovereign is not here—this is my handkerchief, but it was quite a clean one—it was not even used—it is full of snuff or something now—it has my name on it—this key is mine—the strings of the bag are broken, and it is quite new and clean—every thing was new—this latch-key could not have been in it at the time it was thrown up in the air—I never was in that street before—I cannot tell the number of the house I saw the woman go into—they both ran on the left-hand side, the same side as the chapel, and they went into a house there—I begged of the policeman not to give him out of custody that night, but it was impossible for me to go to the station-house that night.

Prisoner's Defence. The lady said it happened at five o'clock, and she was attacked in the street; there would be somebody certainly to render her assistance at that time.

GUILTY. Aged 35.—Transported for Life.

(There was another indictment against the prisoner.)

1155. DANIEL HARLEY was indicted for feloniously breaking and entering the dwelling-house of Thomas Godby, on the 29th of March, at St. Andrew, Holborn, and stealing therein, 13 coats, value 14*l.*; 9 pairs of trowsers, value 4*l.*; 6 waistcoats, value 1*l.* 10*s.*; 1 pair of boots, value 5*s.*; 1 pair of shoes, value 2*s.*; and 2 bags, value 3*s.*; his goods.

Thomas Godby. I am a tailor and clothes-salesman, and live at Nos. 36 and 37, Brook-street, Holborn, in the parish of St. Andrew, Holborn. On Sunday, the 29th of March, about six o'clock in the evening, I was in my back parlour, and saw a bag hanging there—it contained the articles stated, which are worth altogether about 20*l.*—it is a bag which I use in my business—I buy clothes—I had been out the day before—about nine o'clock there came a ring at the bell, my niece went to open the door, and discovered a light in the back parlour—in consequence of that I went into the back parlour, and missed the bag—the door was left open into the passage—if they had gone out of the back parlour by that door, they would have got out of the front door—the front door was shut, they could not have got in by any other means except by keys—there was nobody in the back parlour when I went in—I found my bag in the course of the same night—the policeman came to ask me about it—there was a candle burning in the back parlour when I went in—there were two candles left on the Saturday night, and they had lit one of them—it was not lighted when I left my bag there.

John Callow (*police-constable G* 72.) I was on duty on Sunday night, the 29th of March, from eight to a quarter-past eight o'clock, I saw the prisoner in Fox-court, Gray's Inn-lane, not more than two hundred yards from the prosecutor's house—he was going towards Gray's Inn-lane, in a direction from the prosecutor's house—he had the bag with him—I stoppedhim, took him into a public-house there, left the bag in custody of the landlord, and took him to the station-house—I asked him what he had there when I stopped him—he said he did not know—I asked where he got it from—he said a man had given it to him, and promised him 6*d.*

for carrying it into Gray's Inn-lane—I stopped a minute or two, to see if the man would come past, but no man made his appearance—in going to the station-house I heard something jink in his pocket—I put my hand in, and said, "Have you keys here?"—he said, "Yes, I have," and I took ten skeleton-keys out of his pocket—(*producing them*)—I have tried them to Mr. Godby's door, and one of them will open it—I afterwards took the bag to the station-house, and produce it.

THOMAS GODBY *re-examined.* This is my bag and property.

SOPHIA TRING. I am the prosecutor's niece, and live with him. I called my uncle, and went into the back-parlour—one of the candles was lighted—it appeared to have been lighted some time—it was almost burnt out, and had a very long snuff—it had been a large-sized candle—I do not think it was a mould—it was much shorter than the other—it was about nine o'clock, or a little after, when I discovered it.

Prisoner's Defence. I was passing down Brook-street on the Sunday evening, and saw a man carrying the bag; he asked me whether I wanted a job, to earn 6*d.* I said I did; he threw the bag over my shoulder, and said if I would carry it to Gray's Inn-lane for him he would give me 6*d.* I was going off with it, when he said, "Stop, you may as well carry these with you;" and he put something into my pocket, but I did not know what it was at the time. The policeman called me, and asked what I had there; I said, "I don't know." The person who gave me the things must have gone away, when he found the policeman stopped me.

GUILTY. Aged 22.—Transported for Fifteen Years.

1156. DANIEL M'FADDIN was indicted for unlawfully, maliciously, and feloniously assaulting James Doran, on the 30th of March, and stabbing and wounding him on his left hand, with intent to do him some grievous bodily harm.

JAMES DORAN. I work on the river Thames, to get ballast. Last Monday night week I was at the Phœnix public-house, drinking—the prisoner came in between eight and nine o'clock—I had been there about two hours then—some words passed between the prisoner and a man named Franklin about *sparring*, and they did *spar*—I do not think they hurt each other—they seemed to be joking—I asked the prisoner to spar with me, and threw off my jacket on the table—he refused to do so, and I believe I gave him some abusive language—I was not drunk, and I cannot say I was quite sober—I could just recollect what passed—I called him some names, and said, "Why not call for some beer, instead of making a disturbance?"—I was leaning on the partition that divided the two boxes in the tap-room—a few moments afterwards, as he was leaving the tap-room he gave me a kick in the * * * * and went out—he did not hurt me much—I staid some few moments, and then went out to go home to my lodging, which is about thirty yards from the public-house—the prisoner met me, and came across the street towards me—he asked me to fight, or *spar*—I said I would not, and told him to go home to his wife, a scoundrel, or words to that effect—he then gave me another kick in the same place as before—I said, why should he kick me so, if he did it again I should give him in charge—he then made a plunge with his hand towards me—I put up my hand to prevent it, and something cut my finger or thumb, but I saw nothing in his hand—he then went away—it was a slight cut, such as a knife would make—a surgeon saw the cut at the Thames police-office—I never struck the prisoner at all.

Prisoner. Q. Was not your wife close by you? *A.* Yes; and your wife was close by you—I did not make a hit at you in the tap-room—my hand was not cut in the tap-room, but in the street.

GEORGE BETSON. I am a surgeon. I saw the prosecutor's hand—it was a punctured wound—I consider such as a sharp-pointed instrument would inflict, such as a bayonet or the point of a knife—it was not a serious wound.

JOSEPH MEASURES. I saw a quarrel between two men in the Phœnix public-house—I saw one man kick at and strike at the other—I cannot say whether he hit him—I did not see the other strike at him—I saw a man's hand bleed, but whether it was one of the two men I do not know.

JAMES DOWLING. I saw Doran and the prisoner together in the tap-room—I did not see the prisoner kick him—when I went in, the prisoner was sitting on a table, and Doran stood about six feet from him in his shirt sleeves—as I opened the door the prisoner went out into the street, and Doran followed him in three or four minutes—I did not see him kick at his belly as he went out—I did not say so before the Magistrate—I said I was sitting in the bar-parlour, and heard a rush through the passage, and heard the prisoner say, "If you will come into the street I will fight you"—I afterwards saw Doran return with blood on his hand.

Prisoner. Q. Did you not hear me cry out murder? *A.* I did not—you said, "Open the door, let me in"—I *shoved* the door in that you should not break the glass.

JAMES ABBOTT. I was at the public-house that evening with three more men—I saw the prisoner go out, and make a kick at Doran as he went out, but I could not see whether he hit him—he came back, and asked Doran whether he would fight him—Doran told him to come inside, and he would fight him, but not outside—Doran went out after him in two or three minutes, and came back in two three minutes with his hand cut.

Prisoner. Q. Did you see any body *sparring* at me at first? *A.* Yes—you hit a man across the breast, then Doran got up and said he would fly you—he took his jacket off, but never struck you—I did not see any knife in your hand—I did not hear any man ask for a knife—I saw a pint pot in your hand when Doran came in—I saw nobody strike you—he squared at you—I was quite sober.

JOHN FRANKLIN. I was *sparring* with the prisoner at first—another man bid me sit down, which I did—Doran got up and said, "You scoundrel, I will *spar* you"—the prisoner said he would not—Doran still aggravated him and asked him to *spar* him—he said he would not—Doran then called him a robber and a scoundrel—the prisoner then went over to him, caught him by the arm, and said, "Will you make it up?"—Doran said, "You scoundrel, I will not make it up"—the prisoner walked out, and made a kick at Doran as he went out—I had seen Doran hold his hand up to him before that, and the prisoner said he would knob him if he came near him—I did not see any thing in his hand at that time—Doran did not follow the prisoner out—the prisoner came in again, and made another kick at him, but did not reach him, and Doran said he would give him in charge—Doran then went out, and came in with his head bleeding.

Prisoner. Q. Do you recollect the publican trying to force the door? *A.* No—I closed the door, but said nothing to you—I did not call you a b—— Orange b——, the name was not mentioned in the house

that night—you were not out of the house more than two minutes—there was a man named Bryan there—he was not there five minutes—Doran went out of the house, but not to hit you—he said, as he went out, that he would give you in charge.

CHARLES PILCHER. I am a policeman. I went with Doran to take the prisoner at his house—he said the prisoner was the man that cut him—the prisoner said he knew nothing about it, but that Doran had broken some glass at the public-house, and must have cut himself then—Doran said, "No, you cut me with some sharp instrument"—I searched the prisoner's pockets, and the house, but found no knife.

(*The prisoner, in a long address, stated that Doran had endeavoured to provoke him to fight, used very scurrilous language, and struck him; and he supposed, in avoiding the blows, he had cut him with a knife which he had in his hand.*) NOT GUILTY.

Fourth Jury, before Mr. Recorder.

1157. MARY HARRINGTON was indicted for burglariously breaking and entering the dwelling-house of Margaret Whitehand, on the 29th of March, at St. Giles-in-the-Fields, about eleven in the night, and stealing therein 1 bed, value 5*s.*; 1 bolster, value 1*s.*; 1 sheet, value 1*s.*; 1 quilt, value 3*s.*; 1 bonnet, value 1*s.*; 2 caps, value 6*d.*; 1 saucepan, value 1*s.*; 1 apron, value 1*s.*; 1 tea-pot, value 6*d.*; and 5 plates, value 3*d.*; her property: and that she had been before convicted of felony.

MARGARET WHITEHAND. I am a widow, and live in Church-lane, St. Giles-in-the-Fields. On the 29th of March I went out about seven o'clock—I returned between ten and eleven o'clock at night, and found the prisoner in my room—the staple of the door had been drawn—I had left it padlocked, and had the key—I do not know how the door was after seven o'clock—the padlock was forced off the door—it is a lodging-house—I have a separate room—the landlord does not live in the house.

ANN GUMMER. I am the wife of William Gummer, and live in Buckeridge-street, the next street to the prosecutrix. On the night of the 29th of March the prisoner brought a bundle to me about ten o'clock, or a little after—I believe it was an apron and two caps—she said she had quarrelled with her husband—about a quarter of an hour after she brought a bolster, quilt, and saucepan, begging me to take care of them till the morning.

ROBERT LAY (*police-constable E* 44.) I was called to the prosecutrix about eleven o'clock, and found the prisoner lying on a bed a little way from the door—the padlock was forced off, and the staple drawn—some things produced by Gummer were returned to the prosecutrix—I produce the saucepan and quilt.

MARGARET WHITEHAND *re-examined.* These are my things.

Prisoner's Defence. I was in liquor, and thought I was in my own room.

RICHARD COOPER (*police-constable E* 46.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—the prisoner is the person named in that certificate—I was present at the trial—(*read.*)

GUILTY. Aged 18.—Of Breaking and Entering, but not of Burglary.

Transported for Ten Years.

1158. THOMAS VANN was indicted for burglariously breaking and entering the dwelling-house of Alfred Brotherton, on the 7th of March,

about eleven o'clock in the night, and stealing therein 5lbs. weight of cigars, value 5*l*., his goods.

ALFRED BROTHERTON. I keep a tobacco-shop in Bishopsgate-street. On Saturday, the 7th of March, about half-past eleven o'clock at night, I went into my shop, and noticed some cigars in disorder in the window, and a pane of glass broken—there was a hole large enough to admit a man's arm—I missed five bundles of cigars, worth about 5*l*.—while I was closing my shutters the policeman came up.

Cross-examined by MR. PAYNE. *Q.* How long was that after you discovered your loss? *A.* About five minutes—the hole was large enough to admit two arms—my house is in Bishopsgate-without—there is from 100 to 136 cigars in a bundle—they would fetch from 4*l*. to 5*l*.

JOHN WELCH. I am a copper-plate printer, and live in Skinner-street. On the 7th of March I was passing the prosecutor's shop on my way home, from half-past eleven to twelve o'clock, and saw the prisoner in company with another young man—in a moment or two after I passed I saw him taking some cigars out of a hole in the window—he gave them to the other young man, who went away to the Wellington public-house in Shoreditch—I followed, and when I got to Worship-street the young man dropped some—I picked up some of them—I afterwards showed the policeman the spot, and he found one there—as I went in at the door of the Wellington public-house the other man came out—I afterwards met him outside with the prisoner—he had nothing in his hands when he came out—he had taken them in there—he escaped—I went back to the public-house again afterwards, and found the prisoner there—he was secured.

Cross-examined. *Q.* Had you ever seen the prisoner before? *A.* Never—it was the second time I went into the public-house that I saw the prisoner when I went to search for him—I pointed him out—I lived at *No.* 69 at that time—I was not in constant employ—I am in a constant situation now—I followed the other man, to see where he was going to take them—I meant to give information to the police, and have nothing to do with it myself—I gave the prisoner in charge about ten minutes after I saw him at the window—I showed the policeman the hole—the policeman *took* up somebody else on my information—the Magistrate told the policeman to make inquiries about me—I do not know whether it was before or *after* that, that he said he would admit the parties to bail—I have lived at No. 69, Skinner-street, two or three months, it is my aunt's—I do not live there without paying her rent—I owe her a trifle—I stopped there a fortnight—I told her I could not pay her any more, as I had been on the spree all that week—I meant, I had had a drop too much—I was under a promise to pay her next Wednesday—I meant to pay her out of my wages—I do not sing or fight at public-houses, nothing of the sort—I have not been about to public-houses at sixpence a night—it was only when I was out *late* that I went to public-houses—if I was out half-an-hour too late I should be locked out of my lodgings—I have worked for the last seven months for Mr. Bellamy—I left him last Saturday four weeks—I boarded with my aunt's, and slept at Long-alley.

HENRY KIDNEY (*police-constable G* 6.) I met Welch between eleven and twelve o'clock on Saturday night, the 7th of March, at the corner of Worship-street, and in consequence of what he said I went with him to the prosecutor's shop, which was partly shut—we then went to the Wel-

lington public-house, which is about two hundred and fifty yards from the prosecutor's, and found the prisoner there—Welch pointed him out, and I took him—I told him I wanted him—he asked what for—I said, "For stealing some cigars"—he said, "Any person like Welch might come and charge a person with a similar offence"—I found on him 3*s.* 9½*d.*—Welch pointed out the place where some cigars had been dropped, and I picked up one in the road.

Cross-examined. Q. How was Welch dressed? *A.* As he is now—he did not look very smart—the landlord of the public-house is dead.

WILLIAM ANTHONY. I am a private watchman in Spital-square. On Saturday, the 7th of March, a little before twelve o'clock, I was on duty in Spital-square, and picked up a bundle of cigars, which I delivered to the prosecutor three or four days afterwards.

GUILTY of Stealing only. Aged 20.—Confined Six Months.

1159. MARY REAGAN was indicted for stealing, on the 22nd of March 1½ pint of brandy, value 2*s.*; 4 bottles, value 1*s.*; 1 wine-glass, value 10*d.*; 9 cheroots, value 1*s.* 6*d.*; and 1 eye-glass, value 3*d.*; the goods of Henry Flagg, her master.

HENRY FLAGG. I keep the Flying Horse public-house, in Oxford-street. The prisoner was in my service for a month—I missed a dram-glass while she was with me, and I suspected brandy was gone—I complained to the prisoner of missing the glass, and said I thought it was up stairs, if she would go and look she might find it—I noticed the brandy-cock in the bar dripping, so as to be convinced somebody had used it—that was on Sunday morning, and I had no customers that morning—I told the prisoner I thought she had been doing something wrong—she said she did not know that she had—I said, "I suspect you have been drawing the brandy"—she said she had not—I insisted on seeing her box opened, saying, "There is also a dram-glass missing; I suspect you have that"—she walked up stairs with me—she did not give me the key at first—she dared me to unlock it except in the presence of the police—I said, "Allow me to unlock it, and you shall open it," which she did, and the first thing I saw was the glass, a soda-water bottle with some brandy in it, a port-bottle, a sherry-bottle, and some cheroots—I can identify the glass, because I have half-a-dozen of this pattern, and this corresponds with them—the brandy I know to be mine by trying it by an instrument, and it is the same sort as that I have—I believe it is part of my brandy—I would not swear to the cheroots, but I believe them to be mine—I believe the empty bottles are mine, I had such.

Cross-examined by MR. PHILLIPS. Q. I suppose you missed the glass? *A.* Yes; my wife told me she missed it—we both missed it—I told the Magistrate so—I have no mark on the glass—I should not have known it if I had seen it any where else—the prisoner said I might see her box, for she had nothing in it belonging to me—she tried to open it, and I said, "Give me the key"—it was then that she said I dared not open it without a policeman—she said she had had the brandy some time; she had it when she had the fever—it is the same strength as the brandy I had down stairs—there is nothing very peculiar in it—it was rather strong—I will not swear to it, but I verily believe it is mine—I dare say there is a great deal of the same strength in London—there was a label on the bottle, and here

is a mark on it where it was—I would not swear to the empty bottles—I can swear to this eye-glass from its being broken right across—I have had it two years—it is starred, and a small bit is broken out of the centre—it is of no value—I had property of value in my house—the policeman searched her trunk all over in my presence, but found nothing but these things—the prisoner had no opportunity of going to her trunk before I examined her—she complained that my wife had been at her box a few days before.

COURT. *Q.* Did this instrument you speak of enable you to ascertain the strength of the brandy exactly? *A.* Yes—there was not more difference than there would be in a small quantity separated from a larger—when put into an empty bottle it would of course lower the strength very trifling, but there was not half or quarter of a cent. difference—she said she was taking care of the bottles for her sister—I believe she his a sister—these cheroots are exactly such as I deal in.

JAMES SHEEN. I am a policeman. I opened the box with a key which Mr. Flagg gave me, and found these articles—the prisoner said they were her own, that Mr. Flagg dared not do any thing to her, and he ought to have had me in before he looked into her box—this eye-glass was found on her at the station-house—she said she had picked it up.

NOT GUILTY.

1160. WILLIAM KYNE was indicted for stealing, on the 13th of March, 17 cigars, value 2*s.* 10*d.*, the goods of Jacob Nathaniel Barlin and another, his masters.

JACOB NATHANIEL BARLIN. I am in partnership with David Barlin, in St. John-street, Smithfield—we are cigar and tobacco-manufacturers—the prisoner was our errand-boy. On Friday, the 13th of March, I gave instructions to inspector Shackell to watch the prisoner on his leaving the manufactory—on Saturday morning I heard he was in custody, and Shackell produced about seventeen cigars to me—it would be quite impossible for me to swear that they were made by us.

Cross-examined by MR. PHILLIPS. *Q.* Where had you the prisoner from? *A.* I really cannot say, but we had a very good character with him.

JOSEPH SHACKELL. I am an inspector of the G division. In consequence of information I received on the 13th of March, I went to the prosecutor's shop, and watched the prisoner—he left work at eight o'clock that night—I followed him to the corner of Charter-house-lane, where he met another person—I went up to him, and asked what he had about him—he said, "Nothing"—I then commenced searching him, and as soon as I commenced searching his jacket he put his two hands into his trowsers pocket, and commenced breaking up some cigars, as I supposed—he appeared to be moving his hands—I found as many cigars as I could hold in my hand in his side jacket pocket—the man he met ran away—the prisoner then showed great resistance, and tried to get away from me—I found the remainder of several cigars in his trowsers' pockets broken—I again asked him where he got those cigars which I found in his jacket pocket—he said he had found them—I then asked him again, "Now, where have you got these cigars?"—he then said he had purchased them—the prosecutor's other came up to the prisoner, and said he was a pretty fellow for robbing him, and wanted to know how many times he had done so—he said it was

the first time, and he hoped he would forgive him—I took him to the station-house, and he said there it was the first time he had robbed Mr. Barlin, but he had taken them from the shop, and hoped he would be as lenient as possible—I afterwards compared the cigars and fragments I found on the prisoner with those on the premises, and they appeared the same—cigars are much alike.

Cross-examined. *Q.* The prisoner said he had robbed him, did he? *A.* He did—I told the Magistrate so—I believe he used the word robbed—I will not swear it—I am certain he said they were Mr. Barlin's cigars, and he had taken them, and to the best of my belief he used the word robbed—I think he did—I will not swear it positively—I found seventeen whole cigars on him besides the broken ones.

MR. PHILLIPS *to* MR. BARLIN. *Q.* Were you in the habit of allowing your young men to smoke cigars? *A.* All our workmen are generally allowed a trifle to smoke—we have about fifty—with lads we do not consider it necessary, but after the prisoner was taken up the shopman told me he had allowed him a couple on a Saturday night.

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Two Months.

1161. CATHERINE BRODERICK was indicted for stealing, on the 23rd of March, 12 yards of linen cloth, value 8*s.* 6*d.*; and 1¼ yard of mouselin de laine, value 1*s.*; the goods of George Albert Chapman.

EDWARD GRIFFITHS. I am shopman to George Albert Chapman, a linen-draper, in Great Russell-street. On the afternoon of the 23rd of March, towards six o'clock, the prisoner came to the shop, and was served by another man—while he was serving her I saw her take from a pile of goods this piece of linen, and put it under her shawl under her arm—I went to her, sent him away, and undertook to serve her—she did not buy any thing—she went out—I followed, brought her back, and found the linen under her arm—it is my master's property—it is worth 8*s.* 6*d.*—she said she would pay for it—I saw a yard and half of mouselin de laine produced by the policeman afterwards, which belonged to my master, and which I had seen safe an hour before the prisoner came in.

Cross-examined by MR. PAYNE. *Q.* What is the linen? *A.* Russia sheeting—it is linen cloth—she did not appear tipsy nor excited that I am aware of—I overtook her about a yard from the door—she took it off the pile in the middle of the shop.

JAMES M'CORMACK (*police-constable E* 59.) I received the prisoner in charge with the linen—she was searched at the station-house by a female, who gave me a piece of mouselin de laine—the prisoner said she had bought that.

(The prisoner received a good character.)

GUILTY. Aged 40.—*Recommended to mercy.*—Confined One Month.

NEW COURT.—*Friday, April 10th,* 1840.

Fifth Jury, before Mr. Common Sergeant.

1162. JOHN MARCHANT was indicted for stealing, on the 29th of March, 1 sovereign and 1 shilling, the monies of Christopher Patchett.

GUILTY. Aged 17.—Confined Ten Days.

1163. ALEXANDER WELLS was indicted for stealing, on the 26th of March, 1 looking-glass and stand, value 6*s*., the goods of James Vine.

JAMES VINE. I live in High-street, Islington. On the 26th of March, in the evening, I was called out, and saw the prisoner about 500 yards off running with this glass in his hand, which was taken from my shop—I pursued him, and a gentleman took him in the City-road—the glass was dropped on the road—I am certain it is the glass I saw in his hand.

JEREMIAH MURPHY. I saw the prisoner take the glass out of the prosecutor's shop—this is it.

Prisoner's Defence. I never saw it, and never had it.

GUILTY.* Aged 18.—*Recommended to mercy.*

Confined Three Months.

1164. THOMAS WILLIAMS was indicted for a misdemeanor.

The HON. MR. SCARLETT *and* MR. JERNINGHAM *conducted the Prosecution.*

MATILDA CHILD. I assist in the shop of Mr. Bingham, a pork butcher. On the 3rd of March the prisoner came for a quarter of a pound of butter, between seven and eight o'clock in the evening—it came to 3*d*.—he gave me a half-crown—I examined it, and it was bad—I gave it to Mrs. Bingham.

Prisoner, *Q.* How was the person dressed? *A.* As you are now, with a light coat—I am sure you are the person.

MARY BINGHAM. I am the wife of George Bingham, who lives in Water-lane. On the 3rd of March I saw the prisoner there, and Miss Child gave me a half-crown—the prisoner wanted it back again—I would not give it him—I put it on a shelf, as I did not see a policeman for twenty minutes or half-an-hour—I then called him over—he marked it and I marked it—I put it back on the shelf, and kept it there till the prisoner was taken—the policeman then called, and I gave him the half-crown—I had an opportunity of seeing the prisoner so as to know him—he is the man—he was dressed as he is now.

Prisoner. *Q.* How was I dressed? *A.* You had a great-coat on, as you have now—I cannot tell whether you had a flannel jacket under it, I was so irritated about your wanting the half-crown.

JOHN BRISSENDEN (*City police-constable, No.* 152.) I was called to the shop and received the half-crown from Mrs. Bingham—I marked it and returned it to her.

THOMAS EVANS (*City police-constable, No.* 100.) On the 14th of March I was at the station-house, when Mrs. Bingham came and gave me this half-crown.

MARIA HUNT. I am the daughter of Thomas Hunt, who keeps a public-house in Salisbury-square. On the 14th of March, about half-past seven o'clock, the prisoner came and called for a pint of beer—he gave me a bad half-crown—I told him it was bad—I took it to my father—he brought it out and gave it back to the prisoner, who put it in his mouth and tried to swallow it—my father had marked it and bent it a little—we sent for a policeman, who came and asked the prisoner where the half-crown was—he found it was in his mouth, and we had to give him a knife to get it out—the prisoner was trying to swallow it, and he made resistance

Prisoner. *Q.* When you went out of the bar, could not I have walked out? *A.* I suppose so.

THOMAS HUNT. I received the half-crown from my daughter—I brought it back and asked the prisoner if he had paid that half-crown to my daugh-

ter—he said, "Yes"—I said, "Did you know it was bad?"—he said, "No"—I sent for the policeman—he asked him if he had not the half-crown—he said, "No"—I assisted in holding his hands, while the policeman got his mouth open, and got it out—he resisted, and would not open his mouth—I had bent the half-crown before.

JOHN SPRING (*City police-constable, No.* 128.) I was sent for—I took the prisoner—I asked him where the half-crown was—he said he had not got it—I threw him across the counter and squeezed his throat till he was quite black in the face—the landlady lent me a knife—I got his mouth open, and the half-crown dropped out on the counter—I found 2½*d.* on him—the price of a pint of beer is 2*d.*

MR. JOHN FIELD. I am inspector of coin to the Royal Mint—these half-crowns are both counterfeit.

Prisoner's Defence. As to the first case, I never was near the place; I went to get the pint of beer, and did not know I had halfpence enough; when the landlord brought the half-crown back, I said, "I will soon see if it is bad;" I put it in my mouth; the officer rushed in and seized me; I said I would give it him; he said no, he would have it by force, and got it out of my mouth.

GUILTY. Aged 24.—Confined Six Months.

1165. JOHN KELLY and MARY CONNOR were indicted for a misdemeanor.

WILLIAM JAMES. I keep the Bell public-house, in York-street, Westminster. On the 19th of March the prisoners came, about half-past four o'clock in the afternoon, for a quartern of gin, and the man put a shilling on the counter—I examined it—it was bad—I put it into my pocket, where there was no other silver—they went out, and about half-past nine o'clock in the evening they came again, and called for a quartern of gin—the woman put down a shilling—I saw it was bad—I took it into my hand, and came round and fastened the door—I sent for a policeman, and gave them both into custody—I kept the first shilling in my pocket, and the second in my hand, till I got to the station-house.

Kelly. *Q.* Did you not say you knew me by a black eye? *A.* No—I knew you beside that—there was another man there.

GEORGE ROSE (*police-constable B* 29.) I took the prisoners on the 19th of March—I received these two bad shillings from the prosecutor.

MR. JOHN FIELD. These are both counterfeit shillings.

Connor's Defence. I went to the prosecutor's house with two men; one of them gave me a shilling to pay for a quartern of gin, and that man was not taken.

Kelly's Defence. I never was in company with this woman at all—I was there ten minutes before any person came.

KELLY—GUILTY. Aged 40.
CONNOR—GUILTY. Aged 43. } Confined One Year.

1166. MARY SILVERTON was indicted for a misdemeanor.

SUSANNAH COOK. I am the wife of Henry Cook, a tobacconist, in Great Marlborough-street. On the 21st of March, about six o'clock, the prisoner came to the shop—she bought half-an-ounce of Paris snuff, which came to 6*d.*—she offered me a half-crown, which was a very bad one—I rung it and rubbed it—she said she had taken it at an artificial-flower shop.

HENRY COOK. I was in the back parlour—I heard the half-crown ring.

and I came into the shop—I examined the half-crown—it was bad—I followed the prisoner out of the shop—she turned up Mortimer-street—there is an artificial flower-maker's, but she turned the contrary way—she said she had taken it in change for a sovereign—she was secured and afterwards discharged—this is the half-crown—I marked it at the station-house.

JAMES GARNER (*police-constable E* 132.) On the 21st of March I took the prisoner—she had this half-crown in her hand, which Mr. Cook marked—she had three pence in the same hand.

DOROTHY TURNER. I am the wife of Peter Turner, of Dorrington-street, Clerkenwell—we sell butter. On the 24th of March the prisoner came, about nine o'clock in the evening, and asked for a penny egg—she gave me a sixpence—I looked at it, and told her it was bad—she said she did not know it, she would give me another—the second was also a bad one—she said she took them at a baker's in Lamb's Conduit-street—I gave the two sixpences to my husband—he brought them into the shop. and marked them in her presence—I said he ought to go to the shop she mentioned, and see if she had taken them there—he said he would—she said she was willing to go with him.

PETER TURNER. I received the two sixpences from my wife—I went out with the prisoner—she went in a contrary direction to Lamb's Conduit-street, and I gave her into custody—I gave the sixpences to the officer.

DANIEL HUMPHREYS (*police-constable C* 74.) I took the prisoner, and have the two sixpences.

MARY ANN REDMAN. I searched the prisoner at the station-house—I found on her one shilling, 4¼*d.* in copper, a sixpence, a fourpenny-piece, and a key.

MR. JOHN FIELD. This half-crown and the sixpences are all counterfeit.

Prisoner's Defence. I did not know they were bad.

GUILTY. Aged 22.—Judgment Respited.

1167. WILLIAM JONES was indicted for a misdemeanor.

HENRY PAYNE. I am a grocer, and live in Drury-lane. On the 26th of February the prisoner came to my shop for half-a-pound of sevenpenny sugar—I put it on the counter, and he put down a shilling, which I perceived to be bad—I asked him where he got it—he said from his mistress, in Long Acre—I said I would accompany him there—he then said he did not live in Long Acre, but in a court—I gave him in charge—he was discharged.

WILLIAM POCOCK (*police-constable F* 81.) I took the prisoner—I produce this shilling, which I got from Mr. Payne.

JOSEPH SMITH. I live in Halton-street, Clare-market, with my son-in-law. On the 7th of March the prisoner came, between nine and ten o'clock at night, and called for a pint of porter—he gave me a shilling, which I put into the till, gave change, and he went away—my daughter went to the till soon after, and found one bad shilling, but there were other shillings there, and I could not distinguish the one the prisoner gave—between nine and ten o'clock in the evening, on the 10th of March, he came again, called for a pint of porter, and gave me a shilling—I knew him again, and am certain he is the man—I gave that shilling to my daughter.

ANN MAY. I am the witness's daughter. On the 7th of March I saw the prisoner give my father a shilling, which I saw him put into the till—I went to the till directly after, and saw a bad shilling lying on the top, and

two or three more shillings—I took the bad shilling out, wrapped it in paper, and put it into my pocket—on the 10th of March I received another shilling from my father—I gave that and the other one to my husband—I did not mix them.

JOSEPH COMPTON MAY. On the 10th of March my wife called me to the bar, and asked if the shilling she showed me was good—I saw directly it was a bad one—she then told me that she suspected the prisoner of passing a bad shilling on the previous Saturday—the prisoner said he had not been there on the Saturday—I sent for an officer—I marked the last shilling with my own initials, and gave it him—I then received the other shilling from my wife—I marked that with her initials, and gave him that.

THOMAS SYLVESTER (*police-constable F* 103.) I took the prisoner, and received these two shillings from Mr. May.

MR. JOHN FIELD. These are all counterfeit.

GUILTY. Aged 26.—Confined Six Months.

1168. JOHN HAWKINS was indicted for a misdemeanor.

NOT GUILTY.

1169. JOHN MEREDITH HARDING was indicted for embezzlement.

JAMES HAYWARD. I am an ironmonger. I have two shops; one of them is in Lawrence-lane, and the prisoner, who is my apprentice, managed that—I employed Mr. Stevens to go to that shop and make some purchases—I gave him a list of articles and some money—it was the prisoner's duty to make an entry in the book of all sales, in separate articles, and to bring me the money of the day's receipts—on the 1st of April he brought me 1*l.* 1*s.* 7½*d.* as the receipts of the day—the book, which is in his hand-writing, states that he had received 1*l.* 2*s.* 7½*d.*, omitting 1*s.* for a pair of hinges that Stevens bought—here is the list of articles I gave to Stevens.

Cross-examined by MR. HORRY. *Q.* Did you not show this list to the prisoner? *A.* Yes—I asked if it was his writing—he said yes—it is the bill he made out—I said, "You have not put the articles down"—he said, "They are all down except the hinges"—the hinges are not in the account in the book; if they had it would have been 1*l.* 3*s.* 7½*d.*

WILLIAM STEVENS. I live in Thomas-street, Clerkenwell. On the 1st of April, between two and three o'clock in the afternoon, I went to the prosecutor's shop, and saw the prisoner—I purchased two locks and several other things, amongst which was a pair of hinges—this paper contains the account—the whole came to 8*s.* 7*d.*—I paid him 8*s.* 6*d.*, he would not take the 1*d.*—he did not enter these things in any book in my presence.

WILLIAM PENNY (*police-inspector.*) I took the prisoner—he cried very much, and said it was his first offence.

NOT GUILTY.

1170. ALFRED CRITCHELL was indicted for embezzlement.

STEPHEN HAYMAN SWEETLAND. I am a baker, and live in Carnaby-street. The prisoner was my apprentice, and authorized to receive money from my customers, which he was to enter in the book in the evening, and pay it to me—if he received 2*l.* 3*s.* 3*d.* on the 2nd of March, he has not entered it or paid it to me—he absconded with it.

SUSANNAH BANEZETTI. On the 2nd of March I paid the prisoner 2*l.* 3*s.* 3*d.* for bread, on account of his master.

GUILTY. Aged 17.—Transported for Seven Years.

(The prosecutor stated that the prisoner had absconded twice before with cash.)

1171. JOHN KELLY was indicted for stealing, on the 2nd of March, 1 handkerchief, value 2*s.*, the goods of Eliza Miller.

ELIZA MILLER. I am single, and live in Richmond-street, Edgeware-road. I was at work at Compton-place—I went out for some beer, and left my handkerchief in the garden, on a gooseberry-bush—I saw the prisoner outside the garden gate when I went out—when I returned my handkerchief was gone—I got a policeman and went after the prisoner—he took the handkerchief out of his pocket, and whipped it into the hedge—this is it—(*looking at it.*)

JONATHAN BOLLAND (*police-constable S* 215.) I went with the prosecutrix and took the prisoner—I saw him take this handkerchief out of his pocket and put it in the hedge.

Prisoner's Defence. I bought this handkerchief of a man for 8*d.*

Witness for the Defence.

MARY KELLY. I have known the prisoner for ten years, he has been a hard-working boy—I was out that day looking for a day's work, and saw him buying the handkerchief of a woman on the bridge, just at the end of Aberdeen-place—I should know the woman again if I saw her—I said, how much my boy would have been like this boy if he had been alive, and I asked him how his mother was.

(The prisoner received a good character.)

GUILTY. Aged 17.—Confined Three Months.

1172. JOHN BURTON and DAVID BARRY were indicted for stealing, on the 25th of March, 1 handkerchief, value 2*s.*, the goods of Frederick Terry, from his person; and that they had each been before convicted of felony.

FREDERICK TERRY. I live in Bridge-street, Southwark. On the 25th of March, about four o'clock, I was passing through Thames-street—Mr. Morgan, who was in a wagon, called out to me that my pocket was picked—I turned, and the two prisoners were close behind me, and no one else was so near to me as they were—I seized Burton, and, with the assistance of another person, we kept them till the policeman came—we found nothing on them, but my handkerchief was found in a house close to where I seized Burton—this is it—(*produced.*)

THOMAS MORGAN. I live in White Hart-street, Kennington. I was near Brewers' quay, in Thames-street, at near four o'clock that day—I saw the two prisoners following the prosecutor—I kept my eye on them, and Burton took the handkerchief from the prosecutor's pocket, wiped his nose with it, then down went the handkerchief, and I saw no more of it—Barry was close to him at the time—I had seen them for two or three minutes—they appeared to be acquainted.

JOHN JOHNSON. I was at Mr. Everett's door, and heard Morgan *sing out* to the prosecutor that he was robbed—he turned round and took Burton, and I laid hold of Barry—he made a desperate resistance, bit and kicked me, and tried to get away—the handkerchief was found in a house next door to where they were taken.

GEORGE HYTHE (*City police-constable, No.* 227.) I took the prisoners, and have the handkerchief.

Barry's Defence. I was going to my mother at Billingsgate, to carry some fish home; I was behind this prisoner; he said, "Walk away from me;" I said, "I shan't," and then he picked the gentleman's pocket: the carman called out, and the witness took me; I was not with this prisoner two minutes.

Burton. I did not take it at all; I should be glad if you would put me in a Refuge.

WILLIAM BRATTON (*City police-constable, No.* 90.) I produce a certificate of Burton's former conviction, which I got from Mr. Clark's office—(*read*)—he is the same person who was tried in the name of Bowles.

JOHN PARKER (*police-sergeant K* 10.) I produce a certificate of the prisoner Barry's former conviction, which I got from Mr. Clark's office—(*read*)—he is the person.

(Ann Goodman, a lodging-house-keeper in Butler's-buildings; Catherine Clarke, of Church-lane, St. George's-in-the-East, gave Barry a good character; Mary Collins, the wife of a tailor in Bowles-yard, Whitechapel, and ——— Powell, Burton's grandmother, gave him a good character.)

BURTON*—GUILTY. Aged 13.
BARRY**—GUILTY. Aged 14.
} Transported for Ten Years.

1173. WILLIAM PEVERELL was indicted for stealing, on the 18th of March, 1½ bushel of oats, value 5*s.*; and 1½ bushel of a certain mixture, consisting of oats and chaff, value 2*s.*; the goods of Thomas White, his master.

THOMAS WHITE. I am a farmer, living at Ruislip—the prisoner was my servant. It was his duty to take hay and straw to London—I live about twenty miles from London, fifteen from the end of Oxford-street—I allow no corn or chaff for the horses on the road, but a truss and half of hay—he had three horses to go to London on the 18th of March, with a load of hay and straw—I have seen a bushel and half of oats produced, and a bushel and half of chaff and oats, which I believe to be mine—we have oats and chaff at home—he could mix them himself.

Cross-examined by MR. PAYNE. *Q.* Were these the same things that the horses eat at home? *A.* Yes—if the prisoner had authority to take it for the horses on the road, about half a peck would be the quantity for a horse on each journey—he has lived with me more than eight years—he bore a good character, and has a large family.

WILLIAM TAYLOR (*police-constable T* 36.) I was on duty on the morning of the 19th of March, in the parish of Ealing—I observed the prisoner had a quantity of hay—I asked what he was going to do with it—he said his master allowed it him for the journey—I got on the cart, and found a sack containing a bushel and half of oats, and in the hind part a sack containing a bushel and half of oats and chaff mixed—he said it was allowed by his master for the journey.

(The prisoner received a good character.)

GUILTY. Aged 45.—*Recommended to mercy by the Prosecutor.*—Confined Four Months.

1174. WILLIAM WARD was indicted for stealing, on the 23rd of March, 24 yards of flannel, value 1*l.* 16*s.*, the goods of William Cant.

MARIA NUTTICOMBE. I live with my brother, William Cant, a hosier,

in Crawford-street. On the evening of the 23rd of March the prisoner came into the shop, and asked for a yard of ribbon—I served him, and after he had paid for it he turned round, took this roll of flannel, and carried it off—I screamed "Murder," ran to the door, cried "Stop thief," and in a few moments a girl brought the flannel into the shop—he had dropped it in the street—he was brought in afterwards within half an hour—I am sure he is the person.

THOMAS TARRETT. I live next door to the prosecutor. I was standing at my own door—I heard the cry of "Murder," and "Stop thief"—I ran to stop the prisoner, who had got the roll of flannel under his arm—he shucked it down—I almost fell over it—a gentleman followed him, and caught him.

Prisoner. Q. Did you keep sight of me? A. No.

ELIZABETH TARRETT. I was near the shop, and saw the prisoner run round the corner with this flannel.

GUILTY. Aged 22.—Confined Six Months.

1175. DANIEL BRETT was indicted for stealing, on the 13th of March, 1 pair of ear-rings, value 1*l.* 5*s.*, the goods of Jane Pinsent.

JANE PINSENT. I am single, and am housekeeper to Mr. Burn, a victualler, in the Kingsland-road. On Friday afternoon, the 13th of March, left a pair of gold ear-rings on the sideboard in the parlour—a policeman called about eleven o'clock that evening—I examined, and the ear-rings were gone—the prisoner had been there repairing a lamp and putting in a square of glass.

RICHARD ANDREWS (*police-constable N* 56.) On the 13th of March I received information that the prisoner had a pair of ear-rings—I made inquiries, and found them in the room where he lodged on Saturday, the 14th—these are them.

Prisoner's Defence. I had only been there two days; the ear-rings were not there when I mended the window; I never was in the room; I have a child lying dead at this time.

GUILTY. Aged 30.—Confined Nine Months.

1176. CHRISTOPHER FITZSIMMONS was indicted for stealing, on the 13th of March, 11 oz. weight of silk-twist, value 1*l.* 5*s.*, the goods of James Fowler: and JOHN WILLIAMS, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.

JAMES FOWLER. I am a tailor, and live at Tottenham. About twelve o'clock, on the 13th of March, when I came into the shop my nephew told me something—I went about a hundred yards towards Edmonton, when I saw the prisoners in conversation—I took Fitzsimmons by the collar, and asked where the twist was that he took from my shop—he denied it—Williams then ran off—I pursued him towards Scotland-green—he was stopped by a gentleman—I handed him to an officer—he was searched, and this silk twist found on him—it is mine, and is worth 25*s.*—I missed exactly this quantity, and know it.

Cross-examined. Q How near to your shop did you see them? A. Within fifty yards, and within sight of my house—the twist was kept in a drawer—there is nothing extraordinary in the colour or the doing up—only in the pinning of them—we make it a regular practice, when we cut twist, to make a knot, and stick a pin.

GEORGE FOWLER. I am the prosecutor's nephew. Fitzsimmons came

in, and asked for some silk twist—I got out the drawer and showed him a ball—he said that would do—he asked the price—I said, "1½d." —he said, "You might as well say 1*d.* or 1½*d.*"—I said I would cut off 1½*d.* worth—he then *chucked* the balls of twist up, and said they would do for a catch-ball—he chose another, and I cut him off a pennyworth of that, and wrapped them up—he paid for them and went out —I missed the exact quantity that was found—I called my uncle, and ran out—I saw the prisoners both together, about one hundred yards off, in the high-road—I could not see them from the door—they got behind a nook, and could not see our door.

Cross-examined by MR. PAYNE. *Q.* You and Fitzsimmons were in the shop all the time? *A.* Yes—I did not see him take any thing—Williams did not come in—I was close to the door.

Q. Who left the shop first? *A.* My uncle—he would see Williams before me.

JOHN FOWLER. I am a constable of Tottenham—I heard the cry of "Stop thief," and saw George Fowler scuffling with Fitzsimmons—I took him, and found the twist he had purchased in his hand—I found 4*s.* 8*d.* on him.

JAMES DAVIS (*police-constable N* 301.) I took Williams, and found these balls of twist in his hat—he said he had bought it a long way from where we were then.

(Fitzsimmons received a good character.)

FITZSIMMONS—GUILTY. Aged 23.—*Recommended to mercy.*—Confined Three Months.

WILLIAMS—NOT GUILTY.

1177. ELIZABETH FOWLER was indicted for stealing, on the 9th of March, at St. Martin-in-the-Fields, 1 snuff-box, value 1*l.* 4*s.*; 3 pencil-cases, value 16*s.*; 3 brooches, value 3*l.* 15*s.*; 2 buckles, value 2*l.*; 1 pair of ear-rings, value 3*l.*; 2 pairs of bracelets, value 2*l.*; 2 scent-bottles, value 1*l.*; 3 lockets, value 10*s.*; 1 neck-chain, value 5*s.*; 1 pencil, value 6*d.*; 1 tinder-case and steel, value 6*d.*; 1 sovereign, 1 half-sovereign, 1 half-crown, 1 shilling, 1 sixpence, 8 groats; 1 20*l.* and 3 5*l.* Bank-notes; the property of Richard Chadwick, her master, in his dwelling-house: and ANN FOWLER, for feloniously receiving the same, well knowing them to have been stolen; against the Statute, &c.—3rd COUNT, charging Ann Fowler with receiving, comforting, harbouring, and maintaining the said Elizabeth Fowler.

RICHARD CHADWICK. I live in St. Martin's-lane, in the parish of St. Martin-in-the-Fields—it is my dwelling-house—the prisoner Elizabeth was in my service—I returned home on the 1st of March, and she was out—I had some suspicion, and examined a drawer, which was left open, but which was generally locked, and missed a green purse, containing a 20*l.* note, and three 5*l.* notes, and a box containing the jewellery stated—they were all gone—the purse is here, and I have traced a note, as being changed at Liverpool, where the prisoners were taken—I did not see that note at Liverpool—I went to the Bank of England, and found it had been paid in the day before—I have seen the property the officer found—this is the purse, it is mine, and this chain is mine.

SARAH MOFFETT. I am the daughter of Ann Fowler, and sister of the other prisoner. On the evening of the 9th of March my sister came to my

ouse in a *cab*—my mother was at home—I observed something in my ister's cloak—I desired to see it, she would not allow me—she put half-a rown into my baby's hand—I asked her again what she had got—she said 'Never mind now"—I accompanied her to the door, and asked her again hat she had got under her cloak—she said some new calico she had ought, and she put *6d.* into my baby's hand—my mother went out with er, and said she would go part of the way home with her—I did not see ither of them afterwards.

MARY FOLEY. I am the wife of Michael Foley, and live in Lucy-street, Westminster. Ann Fowler lodged with me, and left on the 8th of March —I did not see her again till she was in custody.

JONATHAN ANDERS. I am Inspector of the Liverpool police. On the 9th of March I apprehended the prisoner Ann Fowler, in Scotland-road, Liverpool—I took her down to the Commissioners' office, and inquired where she lived—she said, "In Salop-place, Steward-street"—I went there, and was conducted by another daughter of hers to a room, where I found he younger prisoner in bed—I searched the room, and found this purse, which contained *2l. 17s. 6d*, in a tea-caddy on a table—I found this small ocket and this chain in the pocket of another sister, who was in bed with Elizabeth—she said, "My sister," meaning Elizabeth, "gave them to ne"—I asked Elizabeth if she did not live with the prosecutor—she said, 'No"—on our way to the Bridewell she said she had lived there—in a ox in the room I found this new wearing apparel—I found that the pri-oner Ann had taken the room of the woman that kept the house, and in the oom they had completely new furniture—I can give no other evidence oncerning the prisoner Ann—the notes were paid in Liverpool by a travel-ing clerk.

ELIZABETH FOWLER—GUILTY. Aged 16.—*Recommended to mercy.*—Transported for Ten Years.

ANN FOWLER—NOT GUILTY.

1178. JOHN MAYOW was indicted for stealing, on the 29th of March, purse, value *2s. 6d.*; 3 sovereigns, 1 half-crown, 3 shillings, 3 sixpences, nd 1 groat; the property of Jeremiah Weldon, from the person of Eliza-eth Weldon.

ELIZABETH WELDON. I am the wife of Jeremiah Weldon, and live in Bath-place, Dalston. On the 29th of March I went to Hackney church with my two daughters—I saw three men, one of whom was the prisoner, come down from the gallery—they pushed against me in the body of the church and by the vestry—they were not passing out with the congrega-ion—they came down and met me—I felt a touch at my pocket—I ooked about, and saw the prisoner and another—I did not say any thing t that time, but looked at him—I felt another pressure—the prisoner and wo others were then near me—we went on to the church gate, and there I felt some one touching my pocket—I turned, and saw the prisoner—I said, "What are you doing?"—he said, "I beg your pardon"—I turned o my husband, and said, "This man has got his hand in my pocket"—he said, "If you say that, I will stop him"—I felt, and my purse was gone—it contained three sovereigns, some half-crowns, some shillings, and some ixpences—my husband went up to the prisoner, and took him to the sta-ion-house—in going along he said, "Pardon me, and I will give you noney, any thing I have"—he offered me both gold and silver—he said,

"I will give you all I have," and his manner was very pressing—this is my purse—(*looking at it.*)

Cross-examined by MR. PAYNE. *Q.* Is there any thing particular about the purse? *A.* I know the rings and the ornaments at the bottom, and my daughter netted it—she is not here—I have had it more than a year in daily use—I swear it is mine—the three men came down a door opposite me, and came out with me—I went out at the middle door as they did—I passed down the path, and missed my purse at the gate—as soon as I said to my husband, "That man had his hand in my pocket," the prisoner walked off ahead—he appeared agitated—he said it was a mistake, it was not him—my husband then took him towards the station-house—I said to him, in going, "You have got my purse, why not give it up?"—he said he would if he had it—he said, "Take this money; if I had a 20*l.* note I would give it you sooner than be disgraced; I am innocent."

CATHERINE WELDON. I reside with my mother. I was at church on this occasion—I saw some men come from under the gallery, but I did not notice the prisoner as one of them—I heard my mother say to the prisoner, "What are you doing?"—he begged her pardon—her pocket was open, as if a hand had been in it—she felt, and her purse was gone—the prisoner had a cloak on at first—after he had gone away I saw him take the cloak off—I heard him say, "I am charged with stealing a lady's watch."

Cross-examined. *Q.* There were a considerable number of persons coming out? *A.* Yes—I was close behind my mother—there was only the prisoner between me and her—I have often seen the purse—this is it—(*looking at it.*)

LIEUT. BARTHON GEORGE WATERHOUSE. I was coming out of church, and saw the prisoner, or a person very much like him, before me. put his foot very determinately on the ground, as if to secure something—he did not stoop to pick it up—I let the parties pass on, and kept my eyes on the spot—I went and picked up this purse, which was covered with dust—I turned back and gave it to the Rev. Mr. Birch, the minister.

JURY. *Q.* Did the prisoner drop it? *A.* I cannot say.

Cross-examined. *Q.* You at first said he had a blue cloak? *A.* Yes, but it turned out it was a dark-coloured cloak—my eyes were on the prisoner—I cannot say whether Mrs. Weldon was between me and him—I do not think she was—I think he must have been to the left of Mrs. Weldon—he appeared on the left of all the party coming out.

BENJAMIN PRITCHARD. I am a police-inspector. I took the prisoner, and found 1*l.* 4*s.* 6*d.* on him—he said he was totally innocent, that he came from Clapham in Surrey, and was going to Cambridge—I asked how he came to be going there on Sunday, and having no bundle—he said he should chance it—he made several observations, and seemed to be almost fainting—I asked if he wished to write to his friends—he said he did not—this purse was brought me by order of the churchwarden—the money stated exactly corresponds with that in the purse—he said he was innocent, and begged pardon several times.

Cross-examined. *Q.* I believe you first took him for the lady's son? *A.* Yes—in the same breath that he asked for pardon, he said he was innocent.

MRS. WELDON *re-examined.* I distinctly felt some person pressing upon me at the church doors—I turned round, and saw the prisoner close

pressing on me at the same side as my pocket—I then missed my purse—my two daughters were close behind me—the prisoner was close to me.

GUILTY. Aged 19.—Transported for Ten Years.

1179. FRANCES JELLY was indicted for stealing, on the 30th of March, 1 petticoat, value 1*s.*; and 1 flat-iron, value 6*d.*; the goods of Sarah Alexander.

SARAH ALEXANDER. I live in Brook Green-lane, Hammersmith. I asked the prisoner, on Sunday afternoon, the 30th of March, to take care of my place till the morning—when I came back I missed a petticoat and iron—I went down Hammersmith, and there I met her—I asked where they were, and she led me to the pawnbroker's—she was very saucy, and said she would get one out.

GEORGE COWARD. I am assistant to Mr. Aldous, a pawnbroker at Hammersmith. This iron was pledged by the prisoner, and the petticoat I believe by her.

THOMAS MORTLEY (*police-constable F* 112.) I took the prisoner, and asked her for the duplicates—she produced them from her pocket.

Prisoner's Defence. The prosecutrix went out, leaving me with not more than a pennyworth of bread, and enough tea to make one cup; she did not return until Tuesday morning, at half-past one o'clock; on the Monday morning I took these things to buy what I wanted.

SARAH ALEXANDER *re-examined.* I left her with plenty to eat—there was bread and butter and meat enough to last her till Tuesday—there was some left when I came home—she might have taken things of greater value.

Prisoner. That was part of what I bought with the money.

NOT GUILTY.

1180. JOHN COSTA was indicted for stealing, on the 13th of December, 1 pistol, value 12*s.*; 1 printed book, value 4*s.*; 2 yards of silk, value 4*s.*; and 1 cloak, value 10*s.*; the goods of Ronald Robert M'Jan.

RONALD ROBERT M'JAN. I am an artist, living in Newman-street, Mary-le-bone. I employed the prisoner as a modeller—he was in my house about the 13th of December—I have been in the habit of employing him at different times for about three years—I saw him there last some time about the latter end of February—I have missed a pistol and other things—(*property produced*)—these are them.

Prisoner. The cloak was lent to me. *Witness.* I think it was, probably, but he pawned it.

JAMES GOLDER. I am in the service of Mr. Franklin, a pawnbroker in Tottenham-court-road—these articles were pawned by the prisoner at different times.

GUILTY. Aged 25.—*Recommended to mercy.*—Confined Five Days.

1181. RACHEL ROBERTS was indicted for feloniously receiving, on the 6th of March, of an evil-disposed person, 1 coat, value 10*s.*, the goods of Charles Wentworth, well knowing the same to have been stolen; against the Statute, &c.

CHARLES WENTWORTH. I live with my father in Park-terrace. On the 3rd of March I threw my coat down in a play-ground in Camden-town—I was away about an hour, and my coat was gone—this is it.

GEORGE GRANGE. I am a pawnbroker. This coat was pawned by the prisoner on the 6th of March.

CHARLES CARTER (*police-constable S* 140.) I went to No. 3, Gray's Inn-road, and found the prisoner at home—I said I wanted her concerning a coat that I had received information that her son had stolen—she said she knew nothing about it—I said, "You must go with me to the pawnbroker's," and then she cried, and handed twenty-one duplicates to her husband—I took them, and found one for this coat.

NOT GUILTY.

1182. MARK APPLEFORD was indicted for stealing, on the 21st of March, 1 truss of hay, value 2*s.*, the goods of John Newman, his master.

JOHN NEWMAN. I live at Iver, in Buckinghamshire. The prisoner was employed to drive my cart and horse to London on the 21st of March with seventeen sacks of turnip-tops—I allowed him half a truss of hay, and also a bait, on the road—I have seen the truss of clover hay which is now produced—I did not allow him that—I believe it to be mine—it is not very good, we had a very bad harvest—it is the same sort as we give our horses, but there was another half truss for the horse, which it had.

Prisoner. I was told to take some hay, and I took this. *Witness.* I told him to take half a truss—he had lived with me two years—he knew well that I allowed him half a truss for each horse.

CHARLES STEBBINGS (*police-constable T* 156.) I saw the prisoner on the 21st of March, between eleven and twelve o'clock at night, coming up a lane from Southam—I saw the cart loaded with turnip-tops, and this hay on the top, and I stopped him.

GUILTY. Aged 21.—*Recommended to mercy.*—Confined Two Months.

1183. RICHARD BAKER was indicted for stealing, on the 7th of April, half a peck of beans, value 6*d.*; and 15lbs. weight of cheese, value 7*s.*; the goods of Richard Lilwall.

ROBERT TAYLOR. I am warehouseman to Mr. Richard Lilwall, a wholesale cheesemonger—the prisoner was his carman. I was directed to examine a parcel of Dutch cheeses, and I ascertained a deficiency of seven—part of them had been sold, and gone out—15lbs. would be about the weight of five cheeses.

Cross-examined by MR. PAYNE. *Q.* Were you present when these cheeses were received? *A.* No—there were 2,000, and there were 361 left in the warehouse—from all that I could ascertain, there was a deficiency of seven—I was present at the sale of most, but not all—I can only tell by the books—they are not here.

COURT. *Q.* Had you a great number of cheeses of this description? *A.* Yes, and I believe we lost some.

HENRY MARTIN (*City police-constable, No.* 368.) On the 7th of April, about eight o'clock in the evening, I was on duty in Leadenhall-street—a person pointed out the prisoner, who had a bundle under his arm, and told me to go and take him—I asked what he had got—he said, five cheeses that he had bought for a friend—I took him to the station-house, and then he said he supposed they were the property of his master—that the man, in counting the cheeses, gave him five, and he had taken them.

Cross-examined. *Q.* Was he sober? *A.* I cannot say—he was *fuddled.*

(The prisoner received a good character.)

GUILTY. Aged 30.—Confined Two Months.

Sixth Jury, before Mr. Sergeant Arabin.

1184. DAVID OWEN was indicted for stealing, on the 21st of March, 2lbs. weight of cigars, value 16*s*., the goods of Charles Meek.

MARTHA MEEK. I am the wife of Charles Meek, a tobacconist, in Long-acre. On the 21st of March, about eight o'clock in the morning, I was in the parlour behind the shop—I heard a noise—I came out, and saw the prisoner in the shop with the cigars in his handkerchief—he went out, and I followed—he had got about six yards when I took hold of him, and he dropped the cigars—he then got out of my sight, but I am sure he is the same person—the window was not broken—he opened the door, and came in, and took them out of the window—these are my husband's cigars, they are worth 16*s*.

DANIEL RICHARD COPE. On the 21st of March I was sweeping the front of our house, and saw the prisoner come out of the prosecutor's with a bundle—Mrs. Meek came and said, "You have stolen my cigars"—he dropped them, and ran off—I pursued—he was stopped down a court, and given in charge.

Prisoner. *Q*. Did you take me? *A*. No, a postman stopped you—I never lost sight of you at all—I live right opposite the prosecutor—you were taken back to the shop, and I followed you.

GUILTY.* Aged 18.—Transported for Seven Years.

1185. MARY BARKER was indicted for stealing, on the 3rd of April, 2 sovereigns and 1 half-sovereign, the monies of William Lambert, from his person.

WILLIAM LAMBERT. I am a printer, and live in East-street, Red Lion-square. On the 3rd of April, about one o'clock in the morning, I was in Holborn—the prisoner and another female joined me—they asked me to go with them to a house, which I refused—they then asked me to give them something to drink—I took them to a house, and gave them a glass of wine, and I had a glass of brandy—the other female left me—I was going towards my own house through a mews leading to Bedford-row, and felt a hand in my pocket, where I had three sovereigns and a half, and some silver—I found something was gone—I caught hold of the prisoner's hand, and accused her of robbing me—she denied it—I took her under a lamp, and found that I had but one sovereign and 1*s*. 6*d*. left—I said she had taken two sovereigns and a half and some silver from me—she said she had not—I took her towards Theobald's-road, to see for a policeman, and saw her stoop and put something in the corner of a dung-heap—I accused her of it—she said she had not—I left a mark on the place, took her to the corner, and gave charge of her—I then went back to the place, and under the dung the officer found two sovereigns and 1*s*. 6*d*.

WILLIAM PERRY (*police-constable E* 40.) I was called, and took her to the station-house—I then went with the prosecutor to the dung-heap, and found two sovereigns, a shilling, and sixpence—the prosecutor had been drinking, but knew what he was about.

Prisoner's Defence. I was returning home; I saw this gentleman taking liberties with two females; he left them and followed me down the mews, and began to take liberties with me by the dung-heap, and when he found he could not do what he wanted, he said I had robbed him; he took hold of my two hands, and gave me in charge, and they found nothing on me.

WILLIAM LAMBERT *re-examined.* I had a large day-book under my arm; I could not do what she says.

WILLIAM PERRY *re-examined.* The prosecutor had a large book with him.

GUILTY—Aged 27.—Confined Six Months.

1186. BRIDGET DOWLING was indicted for stealing, on the 27th of March, 1 gown, value 4*s.* the goods of John Walter.

CAROLINE WALTER. I am the wife of John Walter, and live in Blue-gate-fields—this is my gown—I gave it to Ann Lawrence to wash.

ANN LAWRENCE. I live in Blue-gate-fields. Mrs. Walter gave me this gown to wash on the 27th of March—I hung it at the end of the court to dry at half-past one o'clock—I saw it at past three, and missed it at half-past four—I know nothing of the prisoner.

JOHN WILLIAMS (*police-constable H* 67.) On the 27th of March, about seven o'clock in the evening, I saw the prisoner drying this gown by a tap-room fire—I went and questioned her about it—she said it was her own, and turned to a girl who was with her, and said, "Did not I wash it at your mother's?"—the girl said "No"—I took her away to the station-house—she said she had washed it in the Thames—when the inspector asked her how long she had had it—she said two years, and that she had washed it in a tub—I made inquiries and found the prosecutor.

GUILTY. Aged 32.—Confined Three Months.

1187. GEORGE FARNSBY was indicted for stealing, on the 28th of March, 3 hats, value 1*s.*; 1 umbrella, value 1*s.*; 1 bird-cage, value 10*d.*; 26 quarts of beans, value 6*s.*; and 24 bottles, value 1*s.* 2*d.*, the property of James Sampell.

JAMES SAMPELL. I am a fishmonger, and live in Dove-court, Cambridge-road. I have a garden about 100 yards from where I live—I had 3 hats and the other articles stated in a little out-house adjoining my summer-house—I am there every day—I left these things all safe on Friday the 27th of March, and on the Saturday they were all gone—I had seen the prisoner before—I received information, and went with an officer to his house on the 1st of April—I found him in bed, and one of my hats was in the house—this is it—(*looking at it*)—this is all I have found—I am sure this is my hat, though it is different now to what it was—it has a break in the crown—I put the band on it myself.

FRANCIS GEVAUX. I am a labourer. On Saturday week last I saw the prisoner come down a turning with two white hats in his hand, and a bag of seed under his arm—he took them in-doors, and next morning I saw him with a bag of seeds, containing scarlet beans and two sorts of French beans—that was about 300 yards from the prosecutor's—on the next day the prisoner's brother was thrown out of a cart—he was carried home, and the prisoner came to the door with the bag in his hand which the seeds had been in.

Prisoner. This witness has been here himself, and tried for stealing beef. *Witness.* I was here—I was innocent, though I was found guilty.

JAMES PYE (*police-constable K* 111.) I received information, and went with the prosecutor to the prisoner's house—I waited till six o'clock when the house was open—I then went in and found this hat in the room where the prisoner was sleeping.

JAMES SAMPELL *re-examined.* The beans I lost were two sorts of French beans, some scarlet beans, and some broad Windsor beans.

Prisoner's Defence. I bought this hat of a boy.

GUILTY.** Aged 17.—Transported for Seven Years.

1188. MARY ANN MORRIS was indicted for stealing, on the 25th of August, 1 shawl, value 5*s.*; 1 veil, value 6*d.*; 1 pair of stays, value 2*s.* 6*d.*; 1 petticoat, value 2*s.*; 1 gown, value 3*s.*; the goods of Mary Chandler: 1 pair of boots, value 6*s.*, the goods of John Thurstle: and 2 frocks, value 4*s.*, the goods of John Bolton.

MARY CHANDLER. I am a widow. In August last the prisoner lodged in the same house with me in Boston-street, Dorset-street—there were two beds in the room—I and another person occupied one bed, the prisoner and another person the other—she lodged there six days, and one day she sent me to buy a cake for tea—I was absent about a quarter of an hour, and when I returned she was gone—I missed a pair of stays, a petticoat, and a gown—she did not return to the lodging—nobody could have taken the things but her—I left her in my room taking care of it—she hired the lodging of me by the week, and left me the day before her week was due—my things were all safe when I went out—I have never seen any of them since.

EMMA THRUSTLE. I lodged in the same room. When I went up stairs my aunt desired me to ask Mrs. Chandler if she knew a person who would purchase two frocks—before she could give any answer, the prisoner said she knew a person who had twins that they would just suit—I left them with her, and she left the lodging in the way that has been described, and never re turned—these are the frocks—(*looking at them*)—they belong to myaunt, who is the wife of John Thrustle

CAROLINE KEEBLE. I keep a wardrobe in Exeter-street—the prisoner came to me I think in August—I bought these two frocks of her, and as she took them out of her basket, I saw she had a shawl, a veil, and a pair of boots in it—she said she wanted the shawl for her own use—she asked me to buy the veil, but I did not.

JAMES CROMAR (*police-constable D* 73.) I found these frocks at Mrs. Keeble's—I took the prisoner into custody.

Prisoner's Defence. I took the lodgings only for a few days; I had not been there many days when Emma Thrustle gave me the frock to dispose of, and said she must have an answer very shortly—I took them out and sold them—I spent the money and did not return—when I left there was a girl in care of the place.

GUILTY. Aged 20.—Transported for Seven Years.

(There was another indictment against the prisoner.)

1189. JOHN CARRADINE was indicted for stealing, on the 24th of March, 49 yards of carpet, value 1*l.* 10*s.*, the goods of Thomas Read.

WILLIAM CROXTON. I am apprentice to Mr. Miller, a watchmaker, in the Commercial-road. I know the shops of Mr. Read—they are Nos. 9, 10, and 11, in Sydney-place—between seven and eight o'clock in the evening of the 24th of March I was going past there, and saw the prisoner take a piece of carpet from the shop door—he turned round the corner, and dropped it at Mr. Vesper's door—he then stopped, talking, said he had not taken it, and attempted to strike the boy who was minding the door.

JOHN MACPHERSON. I am errand-boy to Mr. Thomas Read. I saw the prisoner take the carpet from the door, and followed him—he got to the corner, said it was not him, and attempted to strike me—he then ran to the corner of Charles-street, and was stopped by a gentleman, till he was taken by an officer—this is the carpet—it is my master's.

Prisoner's Defence. These lads are mistaken in the person—I was walking up Exmouth-street when they came to me.

(The prisoner received a good character.)

GUILTY. Aged 28.—Confined Three Months.

1190. JOSEPH SMITH was indicted for stealing, on the 4th of April, 4 pewter pots, value 4*s*., the goods of Edward Wilkinson; and that he had been before convicted of felony.

WILLIAM HENRY DAY. I am pot-man to Mr. Edward Wilkinson, at the King's Head public-house, Cumberland-street, Middlesex Hospital. On the 4th of April, about a quarter-past ten o'clock in the morning, I had been cleaning the pots, and left them on the pot-horse—in consequence of what I was told, I went into the skittle-ground, where the pot-horse was—I heard some pots rattle, and went to the door of the water-closet—I saw the prisoner standing inside, with one pot in his hand, two on the seat, and one pot was on a form in the skittle-ground, about two feet from where the prisoner was—I asked what he was going to do with the pots—he said he did not know—he handed me the one from his hand, and said there were two more on the seat—I said I saw there were—he said he knew nothing of them—I said I was sure he must, and collared him—he then went on his knees, begged pardon, and said if he came before a Jury they would take my word before his.

Cross-examined by MR. PAYNE. *Q.* Where were these pots? *A.* Every pot we had was hanging on the horse before—the water-closet is not near the pot-horse.

MARY ANN WILTSHIRE. I am in the service of Mr. Wilkinson. I remember Day going out, and soon after the prisoner came in, and went at once to the skittle-ground—no other person went there—I saw the prisoner go to the pot-horse, take one pint-pot off, and go towards the water-closet with it—he had his hat on when he went to the ground, but it was off when he took the pot.

WILLIAM HENRY DAY *re-examined.* The prisoner was without a hat, and I found his hat on the ground, twelve or thirteen feet from him.

ALLAN HORATIO GARMAN (*police-sergeant E* 3.) I took the prisoner, and these pots were given to me—the facing of his coat is open, and it forms a very large pocket.

Cross-examined. *Q.* What do you mean by that? *A.* The lining, or facing, is undone—I have repeatedly seen pots taken out of such a place—I found 4*s*. 9*d*. on him, and a duplicate of a pair of boots.

Prisoner's Defence. When I went in there was a pot on the ground, and seeing the rest on the horse, I took and hung it there; if I had taken one off the horse I could not have taken four; they were there before I was; I had but just got into the place when the pot-man came.

JOHN WOODYETT (*police-constable T* 84.) I produce a certificate of the prisoner's former conviction, which I got at Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 18.—Transported for Fourteen Years.

1191. SARAH DORRINGTON was indicted for stealing, on the 20th of March, 3 petticoats, value 12*s.*; 1 yard of muslin, value 1*s.* 6*d.*; and 1 pair of stays, value 6*d.*; the goods of Charles Astle, her master.

SARAH ASTLE. I am the wife of Charles Astle, of Gloucester-place, Tottenham. The prisoner had been my house-maid five months. On the 20th of March I desired her to fetch a mutton-chop for my brother, who was very ill—she was very reluctant to go, and delayed nearly an hour—I went up to her bed-room to see why she did not come down, she was taking some things out of her box, and putting them into a basket—I asked her what she was going to do with that basket—she said, "To take it for the mutton-chop"—I said it was too large, and asked what was in it—she said, nothing but her pocket-handkerchief—I asked her to let me see—she said she would not, I had no right to see what was in her basket—I said she had no right to take any thing out without my seeing it—she knocked me down on the bed, and ran down—I ran after her—she got to the stable yard, and broke the widow to get out, but I just succeeded in turning the key of the gate, and my brother came down—I told him she had got something in the basket—he took it from her, and in it were the articles stated in this indictment—I asked if she would tell me where some other things were which I had missed—she would not.

Cross-examined by MR. PAYNE. *Q.* What time did you tell her to go for the chop? *A.* About twelve o'clock—she was not taken till about six o'clock in the evening—we could not get an officer before—my husband is not at home—he is locked up for an assault on me.

ROBERT BUTCHER. I am a policeman. I went to the house about six o'clock in the evening.

Prisoner. She knocked me down, and called her brother, who struck me a violent blow. NOT GUILTY.

1192. THOMAS GREENAWAY was indicted for stealing, on the 8th of September, 4 shillings and 1 twopenny-piece, the monies of William Cox.

WILLIAM COX. I live with my father, who is a bricklayer, in Brunswick-street, Battle-bridge. On the night of the 7th of September the prisoner came and asked my father to give him a lodging—my father said he should sleep there—I had only known him by seeing him sell things about the street—he went to bed before me, and slept in my bed—when I went to bed I had 4*s.* and a twopenny-piece in my fob pocket—I put my trowsers under my head—next morning my father awoke me about a quarter-past five o'clock—the prisoner was then gone—I found my trowsers in the middle of the room, and my money was gone—I never saw him again till eight or nine weeks ago, when I saw him in Skinner-street with a box on his head—I said, "You are the boy who took my money away"—he said, "Go on you fool"—he then said, "I am the boy that took your money, did not I?"—I then said "No," because I was afraid he would hit me, but he is the boy that took it—he afterwards said he would pay 1*s.* 6*d.* a week.

THOMAS NEWMAN CHILDS. I am a policeman. I took the prisoner—he said if the money was paid by his mother, would that make all right?—the prosecutor's father said he would not have it settled in that sort of way.

Prisoner. When he met me I said I was sorry, and my mother would pay for my lodging; that was what I said.

GUILTY. Aged 18.—Confined Three Months.

1193. ANN SMITH was indicted for stealing, on the 13th of March 1 pair of shoes, value 4*s.*, the goods of Thomas Vesper and another.

RICHARD PAINTER. I was in the service of Thomas Vesper and another—their shop is in the Commercial-road. On the 13th of March I saw the prisoner lurking about the door—I then received information that she had stolen the shoes—I went after her, and asked what she had got under her cloak—she said, "Nothing"—I asked where the shoes were which she had taken—she said she had none, and I might search her—I brought her back—she then made a start towards the stall where the shoes stood, and dropped this pair.

Prisoner. I did not take them—he took them off the top of the shoes—I never had them at all. *Witness.* She dropped them, and said, "There they are"—she had got thirty yards from the shop before I brought her back—I heard them drop just before she reached the stall—there was another person in her company.

GUILTY. Aged 60.—*Recommended to mercy.*—Confined Fourteen Days.

1194. DANIEL RANCE and ANN RANCE were indicted for stealing, on the 29th of March, 4 forks, value 2*l.*, the goods of James Marshall.

EDWARD HENRY GOULD. I am in the service of James Marshall, of Abbey-road, St. John's-wood. On Saturday, the 28th of March, I put the plate into a basket, and put the basket on the dresser in the pantry, about six o'clock in the evening—it contained, amongst other things, eighteen silver forks, and on Sunday, about eight o'clock in the evening, I missed four forks—the prisoner Daniel came there on the Wednesday morning before to solicit a breakfast, as he was out of place and destitute—Ann Rance had lived servant in the family, and they had liberty to come there—they were both there on the Sunday—the man came to breakfast, and the woman came in the evening, but that was after the forks were missing—these are the forks—(*looking at them.*)

MARY NEESHAM. I am cook at Mr. Marshall's. The female prisoner lived servant there three years ago, and since then she has been allowed to come, and occasionally had her meals there, and the man also—they are husband and wife—I let the man in on Sunday morning at a quarter-past eight o'clock—I left him once or twice in the kitchen alone, and he could go into the pantry.

JOHN TAYLOR. I am a policeman. I received information, and went to No. 4, Great Exeter-street—I knocked at the door, and saw the female prisoner—I asked if her name was Ann Rance—she said "Yes"—I asked if her husband was at home—she said "No"—I said I came from Mr. Marshall's—she then went up stairs—I went after her, and there was the male prisoner—I asked if he was her husband—she said "Yes"—I then asked why she denied it—she said they owed a little money, and she thought I came for that—I said I came about the plate that had been taken on the Sunday—the man said he was not out on the Sunday at all—I then found some duplicates—the woman snatched them out of my hand, and tore them—I took the pieces, and found they were for five damask napkins—I went to the pawnbroker's, and found these four forks, which the woman had pawned that morning—the man said he had not been out of the house the whole of Sunday, and he was liberated from the station-house—when I heard he had been at Mr. Marshall's that morning I took him again.

RICHARD WILCOX FAIRLAM. I am a pawnbroker. I produce these forks which were pawned by the female prisoner.

D. RANCE—GUILTY. Aged 24.—Transported for Seven Years.

A. RANCE—NOT GUILTY.

1195. DANIEL RANCE and ANN RANCE were *again* indicted for stealing, on the 2nd of January, 5 napkins, value 5*s.*, the goods of James Marshall.

MARY NEESHAM. These five napkins are my master's—I am not certain whether they were taken from the kitchen drawer or from the scullery table-drawer—they were not missed till the officer found the duplicates of them—the female prisoner was at my master's as much as her husband.

JOHN TAYLOR. I took these two duplicates from the female prisoner, when she took them out of a box—they are for two napkins pawned on the 2nd of January, and three on the 17th of February.

RICHARD WILLIAM FAIRLAM. I am a pawnbroker. I have three napkins, pawned on the 17th of February, in the name of Ann Rance—I have no knowledge of the person, but the duplicate the officer found is the one we gave.

HENRY GIBBS. I am a pawnbroker. I produce two napkins, pawned by a person in the name of Ann Rance, on the 2nd of January—this is the duplicate we gave.

A. RANCE—GUILTY. Aged 27.—*Recommended to mercy.*

Confined Six Months.

D. RANCE—NOT GUILTY.

OLD COURT.—*Saturday, April 11th*, 1840.

Second Jury, before Mr. Sergeant Arabin.

1196. WILLIAM REYNOLDS was indicted for stealing, on the 26th of March, in the dwelling-house of William Simmonds, 1 20*l.* Bank of England note, the property of Daniel Evans; to which he pleaded

GUILTY.—Confined Nine Months.

1197. JOSEPH SHEPHERD was indicted for feloniously forging a receipt for the payment of 1*s.* 6*d.*, with intent to defraud Samuel Sugden.—2nd COUNT, for uttering the same; to which he pleaded

GUILTY.—Transported for Seven Years.

1198. JAMES LEACH was indicted for feloniously being at large, without lawful cause, before the expiration of the period for which he had been ordered to be transported; to which he pleaded

GUILTY.—Transported for Life.

1199. MARGARET DONOGHUE was indicted for stealing, on the 5th of March, 6 towels, value 5*s.*; 11 handkerchiefs, value 11*s.*; 11 plates, value 1*s.* 10*d.*; 1 cup, value 1*d.*; 2 saucers, value 3*d.*; 1 pair of snuffers, value 4*d.*; 1 knife, value 2*d.*; 1 fork, value 2*d.*; 2 spoons, value 4*d.*; and 2 milk-jugs, value 4*d.*; the goods of James Watts, her master.

JAMES WATTS. I live in Lincoln's Inn-fields. The prisoner was my charwoman for seventeen or eighteen years—I missed a good many things several times, but never suspected her, having an excellent opinion

of her—at last several knives were missing, and I made a disturbance about it—a spoon was found, and, in consequence of suspicion, the property in the indictment was found in the prisoner's room—I was with the officer at the time—I can swear to part of the property, but not all—the rest resembles mine—I will not swear to it—I can only say the crockery corresponds with what I have—I believe it is mine.

Cross-examined by MR. PHILLIPS. *Q.* How many servants have you? *A.* Four—these things were found in the room on the ground-floor, where the prisoner sleeps—I understand her daughter slept there also—I keep a public-house, but these were taken from another house, at Lincon's Inn-fields, in part of which I live—I let the rest out in chambers—I employed her two days in the week—she lives in St. Giles's, and not in the house—the things were found on the drawers and shelf—I saw them on going in—here are some articles with my name on—I have no doubt of them.

SARAH REYNOLDS. I lived with the prosecutor when the property was missed—I can speak to the articles which are marked.

(The prisoner received a good character.)

GUILTY. Aged 50.—*Recommended to mercy.*—Confined Fourteen Days.

Before Mr. Baron Alderson.

1200. JOHN TURNER FLINN was indicted for feloniously forging and uttering a certain document relating to the payment of, and the obtaining of, certain prize money, due on account of military service performed by one George Langly, with intent to defraud the Lords Commissioners of Chelsea Hospital:—Other COUNTS, varying the manner of stating the charge.

MESSRS. CLARKSON *and* BODKIN *conducted the Prosecution.*

RICHARD BELLAMY. I am senior clerk in the Prize Department at Chelsea Hospital, and have been so more than twenty-three years. I have the prize-list referring to the capture of Buenos Ayes—there are the sums of 110*l.* 9*s.* 2*d.*, 43*l.* 5*s.* 11½*d.*, and 20*l.* 1*s.* 9½*d.*, returned as being due to George Langly—there were three distributions of shares—they are returned as due to Sergeant Langly, of the St. Helena Infantry, in respect to the capture of Buenos Ayres in 1806—these shares remained unpaid until August 1835, and unclaimed until a short period before that—up to August, 1835, the money was in the hands of the Commissioners of Chelsea Hospital—it had been paid into the hospital—the first payment was in 1809, the second in 1810, and the third in April, 1813—by the act of parliament regulating the hospital, prize-money is forfeited, if not claimed within six years of the time of its being paid into the hospital; it is the custom, however, of the Commissioners to pay the amount to the parties, or their representatives, if they give reasonable excuse for the delay—in April 1835 this petition was received at the hospital.

(*The petition was here read, dated Nantes, April* 1, 1835, *signed "George Langly," directed to the Honourable Governors of Chelsea Hospital, and stating, that George Langly, late sergeant of the St. Helena Artillery, had in* 1817, *while at Plymouth, given to Mr. Johnson an assignment to receive his prize-money for the capture of Buenos Ayres in July,* 1806, *under General Whitelock; that shortly after granting the assignment, he, the said George Langly, proceeded to America, had since become naturalized, and was unable to investigate the proceedings of Johnson; that he had*

ently written to him, without receiving any reply; that in 1828 *or* 1829 *authorized his brother to make inquiries about his prize-money, who, upon s application at Chelsea Hospital, was informed that Johnson was dead; at application had been made at the East India House, when it was found at the prize-money had been paid into Chelsea Hospital; and the petiner hoped he might be allowed to receive the amount before he returned to merica, and requested commands to be forwarded to the petitioner to the re of Monsieur L'Feuvre, French Consul, at Southampton.*)

RICHARD BELLAMY. *continued.* This certificate accompanied the petition -an answer to this was sent on the 7th of April, 1835, stating that no rize-money had been paid into the Hospital for the capture of Buenos Ayres, nder General Whitelocke—there had been no prize-money due to any body, ith respect to the expedition under General Whitelock—the answer was ddressed to "Sergeant George Langly, United States Service, Nantes, are of Mr. L'Feuvre, French Consul, Southampton."—This petition, dated antes, 21st May, 1835, came to the Hospital afterwards.—(*This petition as the same in substance as the former one, but describing the petitioner, eorge Langly, as a sergeant of the St. Helena Infantry instead of Artillery.*)—An answer to the second petition, of which this is a copy, was sent n the 12th of June, 1835—(*This being read, stated, that prize-money, mounting to* 177*l.* 16*s.* 11*d.*, *had been forfeited to the Hospital, in* 1819, *in onsequence of not being claimed within the period allotted by Act of Parliament; but in consequence of the circumstances stated in the petition, he forfeiture was remitted; and an order enclosed for the petitioner to xecute in favour of any body he might appoint to receive it.*)

Witness. The order enclosed was sent in blank—this second communication as also addressed to the care of Mr. L'Feuvre, Southampton—at that time he letters that went out from the Hospital were always franked—I was in ttendance at the Hospital when this order, filled up as it is now, was presented for payment—it was paid on the 24th of August—I do not know of s being presented before—I do not recollect its being presented on the 0th—it was presented by Mr. Theleure on the 24th, and the amount as paid to him by a cheque of the deputy-treasurer on the Bank of ngland—I have seen Mr. Theleure since, and believe him to be the erson—I have known the prisoner several years—he has come several mes for prize-money, and was acquainted with the mode of proceeding in ch cases.

Cross-examined by MR. JONES. *Q.* You had known him, I suppose, as lieutenant in the navy? *A.* I knew him as coming to the office on ficial business, as Lieutenant Flinn—he was called Sir John Flinn, ortly after the trial of Queen Caroline—I do not know whether he was ached to her household—I do not know whether he has been a great ny years in the navy—I only know it from the Navy List—I never knew instance of officers acting as prize-agents, except in the army prize-oney—I am not aware of officers, both in the army and navy, acting as ze agents—there is no restriction, that I am aware of—I do not know that took out a licence as a prize-agent—we did not make any inquiry r we received the first petition, because no money could possibly be d on it, as Langley was described to be in the Artillery—I only know, n the returns in our office, that there was such a regiment as the St. lena Artillery—my suspicion was not excited when the second petition ved, stating he was in the Infantry—there was nothing in the second tition alluding to the first, and the first did not pass through my hands—

I knew nothing of it—I have not inquired at the Admiralty, or any other public office, about George Langly—I do not know that inquiries have been made—when a person writes, claiming prize-money, we generally send a printed form for them to identify themselves.

COURT. *Q.* Do not you inquire whether there is such a person as the man who asks you for 170*l.* odd? *A.* At that time it was not usual.

MR. JONES. *Q.* When you receive a letter, do you pay the money? *A.* We send a printed form to be filled up, and when we receive that the money is paid—that has been the practice of the office for some years—we had a clerk named Holgate in the office—he is not a clerk now—there has been a reduction in the number of clerks, which was the only reason of his leaving—he left in March, 1837—we often have application made by prize-agents and other parties, on the subject of prize-money.

Mr. BODKIN. *Q.* Was Holgate discharged previous to any discovery of the present transaction? *A.* Yes—this is the receipt Mr. Theleure gave for the money when paid.

(*Read*) — "177*l.* 16*s.* 11*d.* At seven days' sight, pay to Monsieur E. A. Theleure, or order, the amount of share of prize or bounty-money due to me, in respect of my service as Sergeant of the St. Helena Infantry, at the capture of Buenos Ayres, in June, 1806.—GEORGE LANGLY."—At the foot of the above was a certificate, signed "Jacques Minister, and Doria, elder, dated 16th July, 1835," stating that they had examined the said George Langly, and from documents produced, and answers given by him, they believed he was serving in the above regiment at the time of the capture, and was discharged, on or about the 30th of November, 1814, and that he now resided at Nantes.

HENRY SAMUEL DALLER. I am a clerk in the paymaster-general's office. All orders for prize-money from Chelsea-hospital are paid at the paymaster's office—in 1835 I was a clerk in the prize department at Chelsea Hospital—I remember this order being brought to the office for payment—it was first brought, I think, on the 24th of August, by Mr. Theleure—I do not recollect whether it was brought before the day it was paid.

GEORGE ROWLAND HOLGATE. I was a clerk in the prize-office at Chelsea Hospital in April, 1835—I continued there till the beginning of 1837, when there was a reduction of clerks, and I was put on a superannuation allowance—it was my duty to answer the applications of persons for prize-money, and for that purpose I had access to the prize lists, which would show the regiments, and the persons belonging to them entitled to receive prize-money which was not already received—the prisoner was in the habit of coming to the Hospital in 1835, and before that—he had the opportunity of acquiring a knowledge of the mode in which business was done—I know Beresford Eaton, he has been a navy agent—I had seen Mr. Flinn repeatedly as an applicant for prize-money, and I was introduced to him by Mr. Eaton more intimately—I entered into an arrangement with Mr. Eaton and Lieutenant Flinn about information to be given by me with respect to prize-money—the agreement in the first instance was to furnish the names of some soldiers entitled to Diamante prize-money—Diamante is on the coast of Calabria—I was to receive two and a half per cent. for the information I furnished in that case—it was merely for giving information, whether they got any thing or not—after that I saw the prisoner more frequently—there was afterwards an arrangement

made between Mr. Eaton and myself, on the subject of information as to the names of officers who were entitled to prize-money—that occasionally included non-commissioned officers—it was about persons entitled to prize-money of right, and also which had been forfeited by the lapse of time—I was to have five per cent. for that—I received a per-centage from Mr. Flinn himself on one occasion—I have frequently received a per-centage from Mr. Eaton—among other names which I furnished to Mr. Eaton, I gave him the name of George Langly, a sergeant in the St. Helena infantry, and also the amount of prize-money he was entitled to.

Q. Was there, at the time you furnished the information, any document in the office to which you belonged, by which you knew that Langley was dead? *A.* There was occasionally in the prize lists a mark, but I do not recollec t distinctly whether there was a mark against Langly's name in the prize-list or not—I was to have a per-centage for the information I furnished respecting Langly, if the money was received — the five per cent. was only in case of the receipt of the money—I saw the prisoner at Mr. Eaton's shortly before the money was received—he asked me if application had been made for the St. Helena sergeant's money—I told him I did not think it had—he told me to look out, for if application had not been already made, it would shortly be made—I remember paying that money at the hospital—I took the receipt for the money, and gave a cheque for the amount—I saw Mr. Theleure—I cannot say whether he is the person to whom it was paid, it is so long since—I saw the prisoner again shortly after the payment of the money—I mentioned the circumstance of the money being paid, expecting a commission—I mentioned it first to Mr. Eaton, and afterwards to Mr. Flinn, at Mr. Eaton's house—he asked to whom the money was paid—in consequence of some inquiry made by Mr. Eaton or Mr. Flinn, I examined the book, to see who it was paid to—I found it out by means of a card, I believe—I told Mr. Flinn it was paid to a man named Theleure—he said he knew nothing about it—I have seen the prisoner write frequently, and think the receipt endorsed on this paper is his hand-writing.

Cross-examined. *Q.* How long were you in the office at the Hospital? *A.* I went in 1821, and left in 1837—it was Mr. Eaton who first applied to me for information respecting prize-money—the first proposal was made about the Diamante prize-money—the first offer made to me was 5*l.*—I declined that, and said I would do it at a per-centage—Mr. Eaton made that offer for the information respecting the Diamante prize-money—Mr. Eaton frequently paid me a per-centage—I should think I have received from Mr. Eaton 500*l.* or 600*l.* altogether—my salary as clerk was 110*l.* a year at first, and then 120*l.*—I had no undertaking with any prize agent but Mr. Eaton for giving information, I swear that—I have taken this per-centage for the last five or six years that I was in the office—I never received any money from any agent except Mr. Eaton.

Q. I presume it is quite in accordance with the rules of the office that clerks were allowed to give information, and receive a per-centage? *A.* No, it is contradictory to the rules of the office—none of the other clerks knew of that arrangement of mine, to my knowledge—I did not tell them of it—I did not receive any letter about Langly, nor did I see it—I was not aware the application had been made until the money was demanded—I had nothing to do with the corresponding department—I did not refer to any book to ascertain whether the man was dead before I paid the money

—I will swear it—it is possible, if there was a mark of "dead" against that name on the list, I might have put that mark, but I certainly never referred —I took the name from a book before the money was paid, and entered it in a private memorandum-book of my own—I do not know whether the mark of "dead"—was against it then—(*looking at the original book*)—there is no mark against that name—this is the book I copied the memorandum from—I do not think any body was present but Mr. Eaton, Mr. Flinn, and myself, when he asked me about the sergeant's prize-money—I have never received any per-centage on that money—I did not ask Mr. Eaton for it—I mentioned the circumstance to him when the money was paid, and he said he had not received it—I then mentioned it to Mr. Flinn, and he said he knew nothing about it—I should think it is eight or nine months back that I was first applied to for information as to this, it is since I have left the office—I think I then told all I knew, as I have to-day—I told it shortly afterwards—Mr. Bicknell, the solicitor, applied to me—I wrote to him, and gave him the information—I first saw him personally, and told him I had abstracted some names, and into whose hands I placed them—I think I mentioned Lieut. Flinn's name in my letter to Mr. Bicknell, but not in my first interview, nor Mr. Eaton's—there was a suspicion against me—I do not think I have been threatened with a prosecution in respect to this transaction—there were several cases of this sort—whether this is one of which they entertained suspicion against me I do not know.

Q. Have you been generally threatened with a prosecution on account of the part you took in these transactions? *A.* Why, yes, perhaps—I believe I have, but I did not understand you distinctly—I know I have acted in breach of my duty, contrary to Act of Parliament, and believe it is in the power of the Hospital to punish me—I believe I have not been threatened that I should be prosecuted and punished—there has never been a distinct threat made to me—I do not think Mr. Bicknell has ever said any thing distinctly to me about prosecuting me for it—he has certainly told me what he could do, but never told me, "I will do it," that I recollect—he has told me I am liable to be punished—I told Mr. Bicknell that I had received 500*l.* or 600*l.* for per-centage—he is perfectly acquainted with that—he has seen it from my own memorandum, and I have admitted it—Mr. Bicknell has my private memorandums—I did not give them to him—they were taken from me—my house was searched, I think, last May or June, the same day that Mr. Bicknell saw me, I think—I was not at home at the time—it was after that that I wrote to Mr. Bicknell on the subject —I wrote to him shortly after giving him an account of the transaction, it was not so full an account as I afterwards gave him—I think in December I gave him the fullest account—that referred to a great number of other cases—he urged me to tell him all I knew.

MR. CLARKSON. *Q.* I believe you were in confinement for debt at the time the discovery was first made? *A.* Yes—I wrote a letter to my wife, desiring her to deliver up my papers — they contained a detailed account of the per-centage I had received—I believe it is the custom of the Navy agents to hunt up the relatives of deceased persons, and assist them to receive the money, that they may have the commission—I had not the least conception of any fraud or forgery contemplated by this, or I would not have done it.

COURT. *Q.* Did you furnish the names of persons dead as well as not dead? *A.* Yes—I furnished the names indiscriminately whether they

were alive or dead—I generally communicated the fact of their being marked as dead, because in discovering the representatives it would facilitate the investigation to find the relatives.

MR. CLARKSON. *Q.* At the time you made any communication to Mr. Bicknell, and when you were aware you had been guilty of a breach of duty in your office, were you at all aware that this case of Langley's had been discovered as a forgery? *A.* No, I was not.

MR. JONES. *Q.* Did you give any information to a Mr. Baker? *A.* The information was given to Mr. Eaton, and he gave it to Baker—it was by my acquiescence—I communicated the information to Eaton for him to communicate it to Baker.

BERESFORD EYTON. I was formerly a navy-agent in London. I have known the prisoner for upwards of twenty years—I knew him to be engaged in forwarding the applications of persons for prize-money to Chelsea Hospital—I recollect his doing so with reference to the Diamante prize-money—I know Mr. Holgate—he, Mr. Flinn, and myself, were in the habit of meeting together on the subject of prize-money—a verbal arrangement was come to with respect to information given—the prisoner was to allow us ten per cent. on any claims where he was the means of discovering the representative, or the parties themselves—the ten per cent. was to be equally divided between Holgate and myself—I was to give him the names—I had the name of George Langly, of the St. Helena regiment, from Mr. Holgate—I entered in a book the claims which were promoted between us, and the amounts due to the parties—I was told by Mr. Holgate that the money due to Langly had been paid by the hospital—I cannot tell the time—it was immediately after it was paid—he requested me to apply to the prisoner for the per-centage, which I did—he said he had nothing to do with it, or something to that effect, and the matter dropped—I did not speak to him about it further to my knowledge—he did not pay me the ten per cent.—in 1835, I believe, the prisoner was residing at St. Servan in France—I had letters from him there—he told me he had a house there—a young person named Jane Maria Faulkner was *living* there—she was not particularly under my care—I was executor to her grandmother—the prisoner applied to me to recommend him a nurse-maid, and I recommended her—I received letters from her while she lived in the prisoner's family—she is now married—her name is Gee—I believe she is alive—I have not seen her lately—I am acquainted with her handwriting—(*looking at the two petitions*)—I believe these to be her handwriting—I do not allude to the enclosures—I have no doubt of both of ıer them—I believe this part of the order written in the margin to be vriting—I am not so positive as to "Monsieur Theleure," but I think there s a great similarity—I believe it to be hers—I do not personally know Messrs. Johnson, navy-agents of Plymouth—I know there is such a conern—I have no knowledge of their being concerned with the prisoner ı business transactions—he is frequently in London—I do not know hich way he came—I know he went by Jersey to St. Malo.

Cross-examined. *Q.* Are you still a navy-agent? *A.* No—I am sorry) say I have been unfortunate—I was a bankrupt two years ago—I have nown Holgate about seven years—I had no transactions with him except prize-money—I believe he left the hospital in 1837—I had had transtions with him in prize-money I should think for four years before that -I frequently paid him a per-centage.

Q. Did you know whether that was consistent with the rules of the office or against them? *A.* I do not know how to answer that question—I believe it was not publicly allowed to be done—it is against the regulations of the office to give the names, or any information—I knew he ought not to give the names—I have paid him, I should think, between four and five hundred pounds—sometimes I paid him two and a half per cent., and sometimes five, never more—the per-centage depended on the recent capture—I have had communications with him since he left the hospital—I have kept up my acquaintance with him—I have not visited him since he left the hospital—we have not been private friends within the last six months—up to that time we have been acquainted—Mr. Bicknell first applied to me for information on this subject in November last, when I was summoned to Bow-street—I did not give all the information I possessed at once—Holgate was present at the time I was at Bow-street—I was examined as a witness—I have been with Mr. Bicknell several times—I have not been in communication with Holgate on the subject until to-day—we have talked on various subjects to-day, and not at all since November till to-day—I went to see him five or six times when he was in prison for debt—he mentioned at one time that there was a charge against him about the prize-money—he did not tell me he was afraid of being prosecuted—he told me he was suspected of being the party—that was shortly before he left prison—I went and saw him after he told me that—I saw him half-a-dozen times altogether—how often I went after that I cannot tell—he wrote to me saying he wanted to see me—it was not on this case at all—it was on the subject of the supposed frauds or forgeries, or whatever they are—I went to him—he told me he was suspected of being the party committing the fraud—I called to see him as a friend—the last time I saw Mrs. Gee was three or four years ago—the last letters from her are in 1836 or 1837—I do not know where she is living now—I have heard she is at Southampton, but I do not know it—I know the prisoner has been in the navy about thirty-seven years—I believe he entered in 1804—I know he has been in a good many engagements—he had the reputation of being a brave and gallant officer—I knew him in the service of Queen Caroline—I do not know of his being engaged by the government in confidential missions—I know he was agent to Count Ludolph for a considerable time in obtaining foreign prize-money—he had a license as prize-agent in this country.

MR. BODKIN. *Q.* Do you know whether he had a license in 1835? *A.* The license was granted in 1831 and expired in 1834—he had none in 1835—at the time I saw Holgate in prison I was not at all aware that any discovery had been made of this case of Langly—the letters I received from Mrs. Gee went with the rest of my papers into the hands of the official assignee under my estate—my attention was called to these letters yesterday, and I was afterwards shewn these documents, which I believe to be her hand-writing—that was the first time I had seen them—(*looking at a letter*)—this is the last letter I received from Mrs. Gee—this is not from her, but her writing is on it—the body of the letter is the hand-writing of the prisoner—it came by private hand—I received it in 1836.

JOHN BIRD. I have been a clerk in the War-office.

Cross-examined. *Q.* How many years have you known Lieutenant Flinn? *A.* Fifteen or sixteen years, up to the present time—he lodged in my house in March twelvemonth from the beginning of 1838—he has always borne the character of a respectable honourable man to my knowledge and belief.

EDWARD ALLCOCK THELEURE. I am a dancing-master. My father and mother's name is Taylor, but for the purposes of my profession I have taken the name of Theleure—I have known the prisoner since 1832—I became acquainted with him by giving him lessons in dancing—I continued acquainted with him up to 1835—I left this country to go to St. Germain's some time after 1835—I resided there when I received a communication from Chelsea Hospital—I gave an answer to the inquiry, and have come over to this country to substantiate it—in 1835 I lived at No. 46, Great Marlborough-street—it was there the prisoner occasionally took lessons of me—I was in the habit of seeing him in June, July, and August that year—he was then living at No. 14, Great Charlotte-street, Blackfriars-road—at that time he told me he was in the habit of going to and from the continent—he told me he lived at St. Malo's—in 1835 I was in the habit of keeping a diary of my transactions day by day—I have it here—(*looking at it*)—I had no acquaintance of the name of Le Brun living at Nantes on the 20th of August that year, nor did I know any such person as George Langly—this letter—(*looking at one*) — came to me by the post on the 20th of August, I believe, about ten or twelve o'clock —it has the post-mark of that date—it contained this order—I saw the prisoner immediately after I had received the letter—I had the letter in my hand or on the table when he came—I put it into his hands, and he said, "Oh, that is perfectly correct"—he had not mentioned any thing about prize-money to me previously, but he had asked me to receive any monies for him, as he was in the habit of going out of town—I said, "Certainly"—he did not mention where I was to go to receive them—he offered me a commission, which I refused, as it was not my business—I agreed to do it as a friend—I had no acquaintance at Nantes named Le Brun—I told him so, and that I did not know Langly or Le Brun—I showed him the letter, and he immediately said, "Oh, that is perfectly correct, the money you are to receive, and I have an order to receive it of you"—he said I was to go and receive the money at Chelsea Hospital—I offered to take him with me—he said he was particularly engaged, and he could not go with me, and asked me to go alone and receive it—I offered to take him in my vehicle.

Q. Did you receive back from the prisoner the letter and order? *A.* Yes —I went alone to the Hospital that day—the answer I received was that it was quite correct, and I was to return on Monday—I made a memorandum on the paper in consequence of that—here is, "in about three days' time" —that is the memorandum I made on receiving that answer at the Hospital —I did not see the prisoner when I came back the first time—I have no note of it in my book—he came on the 21st—I have nothing entered here, merely that he called—I told him what had passed, and the answer I got—on the 24th I went to the Hospital again with the order, and received a cheque for the money—this is the receipt I gave for the 177*l.* 16*s.* 11*d.*—(*read*— "*Received of W. H. Spicer, Esq., Deputy Treasurer*, 177*l.* 16*s.* 11*d.*, *being the amount of prize-money due to George Langly, &c.* E. A. THELEURE.")—I saw the prisoner after I received the cheque, the same day, at my house—I told him I was ready to pay him the money, if he would give me a receipt for it—he said he had not got a receipt with him, but he would bring it—this is the cheque I received—(*looking at it*)—he asked me, if I was going into the City, would I get the money—I said, "Yes" —I took the cheque, received the money at the Bank, and gave him the money on the 26th—he then gave me this paper—(*looking at it*)—there is

some writing of his on it—it purports to be a receipt of Langly—I would not pay him without his receipt, and I saw him write his name and address on the back—I was never at Nantes in my life—I heard nothing more of this till I received Mr. Bicknell's communication, when I was living in France—I believe this letter is the hand-writing of the prisoner—(*looking at one*)—I received it from him.

Cross-examined. Q. Do I understand you do not know any person of the name of Le Brun? *A.* Yes, not at Nantes—my gardener's name is Le Brun, at St. Germain's—I did not know a person of that name at that time—it is a very common name in France—I was brought up in France, and have lived there ten or fifteen years—I have no recollection of the name of Le Brun, except my gardener, and a dancing-master, who lived at St. Germain's—I have seen him, I suppose, once or twice—the prisoner said at once that he had an order to receive the money of me—I said so before the Magistrate—all I wanted was an acknowledgment of his having received the money—I was well aware it was like a bill of exchange, and I must receive some order to receive it—I had not seen the receipt till he brought it to me on the 26th—I had not seen the order before I paid him the money—I should have thought twice before I paid him on his own receipt, without having the receipt of George Langly—I will swear, at the time I showed him the letter, that I told him I did not know either George Langly or Le Brun—I do not know that he made any observation upon that.

Q. As it was by his authority you went to receive the money, why should not you be content with his acknowledgment? *A.* Because the letter was signed "George Langly"—if the prisoner had asked me to receive the money, I might have been content with his receipt, but as it was a letter from George Langly, I thought I ought to have his receipt.

COURT. Q. Are you sure that at the first interview he told you he had an order to receive the money? *A.* Perfectly—that induced me to expect him to show me the order before I paid it to him—I wished to see the order, as he said he had one.

MR. JONES. Q. Did he give you any other acknowledgment for the money than that order? *A.* No, I am certain—he did not give me a receipt written by himself on a separate piece of paper. (*The cheque was here read, which was on the Bank of England, for* 177*l.* 16*s.* 11*d.*, *signed* "*W. H. Spicer*," *and endorsed* "*E. A. Theleure*, 46, *Great Marlborough-street.*")

MR. CLARKSON. Q. You had a gardener named Le Brun, and knew a dancing-master of that name in St. Germain's; did you become acquainted with both of them after you received this money? *A.* Yes, very lately—I was not acquainted with any Le Brun or Langly who knew the initials of my Christian name.

BERESFORD EATON *re-examined.* I believe this letter to be the hand-writing of Mrs. Gee.

JOHN LOCKEY. I am an out-pensioner of Chelsea Hospital, and live at Glasgow. I was in the St. Helena regiment at the taking of Buenos Ayres, in 1806, under the command of General Beresford—I knew George Langly, a sergeant, in the corps—he was the only person of that name in the regiment—we remained there from the 1st of June till the 27th of August—in November, 1807, Langly died on board his Majesty's ship *Woolwich* on the voyage back to St. Helena—I was present at his death, and assisted at his funeral.

Cross-examined. Q. Was he a married man? A. No.

WILLIAM JAMES L'FEUVRE. I was the French Consular agent at Southampton in 1835—I had a clerk in my service then, who is since dead—I know the prisoner—I remember a letter coming to my establishment, free of postage—it was directed to my care for an individual in France—I do not recollect the name—in consequence of a communication from my clerk, I gave directions about the delivery of that letter—after that, and on the same day, I saw the prisoner—I mentioned to him that I had given directions that he should have the letter if he called a second time at my office, and he gave me to understand that he had received it—I was superintendent of the *Ariadne* steam-vessel going to Jersey—I knew the prisoner occasionally went to and fro to Jersey at that time—Captain Bassam commanded that vessel—he is since dead—he was captain on that station—the prisoner occasionally travelled by that vessel, and knew Captain Bassam intimately.

Cross-examined. Q. Can you undertake to say he said he had received the letter? A. I understood him that he had received it—I cannot recollect his words—I should not know that letter again if I saw it—I think I received one letter for him afterwards, but I do not think I did before—I will not be positive that I had not—I know Mrs. Gee—she is living at Southampton now—I saw her last Sunday—there would be no difficulty in bringing her here—I put the question to her on Sunday whether she was likely to come up—I put that question to her in consequence of what I heard from somebody connected with the prosecution, not Mr. Bicknell—it was in consequence of a letter I received—I did not communicate her answer to Mr. Bicknell—I am not aware that I ever told Mr. Bicknell the answer I received from her—I received a letter from Mr. Bicknell on Sunday morning—I have seen him since then—I saw him on Tuesday.

MR. CLARKSON. Q. Have you got the letter with you? A. I have not—my conversation with Mrs. Gee had no reference to the hand-writing of any papers here—I think the letter I received afterwards was addressed to Mr. Flinn—the one I spoke to my clerk about was not addressed to Mr. Flinn, but to an individual in France, but Mr. Flinn represented that it was for a friend of his, and asked to take it.

REV. FRANCES HAWKINS. I am a Catholic priest. I have lived in the city of Nantes some time—I resided there in 1835—I knew the Catholic clergy there at that time—I have heard a great deal about the Protestant clergy, but did not know them personally—I never heard of a Catholic or Protestant clergyman named Jacques—there is no elder in our religion—I never heard of a person of the name of Doria in any of the churches established at Nantes.

RICHARD BASSETT. I am a clerk in the Bank of England. I have an entry of the numbers of the notes given in exchange for this cheque, on the 25th of August, 1835—"No. 8999, 100*l.*," dated 1st August; "No. 16975, 28th July, 50*l.*;" "No. 19871, 30th July, 20*l.*;" "No. 307, 1st August, 5*l.*"

THOMAS PHILLIPS. I produce these notes, which have been paid into the Bank of England—on the back of the 5*l.* notes is written, "Thomas Dyson Ludolph," and on the back of the 20*l.* note, "E. Cole, 28th August."

JOHN BICKNELL. I am solicitor of the Lords Commissioners of Chelsea Hospital. The first time I heard of the hand-writing in question being identified was at five o'clock yesterday afternoon.

Cross-examined. Q. Did you know before five o'clock yesterday that

Mrs. Gee was living at Southampton? *A.* I did not know there was such a person in existence as Mrs. Gee—I heard there was a servant of Mr. Flinn's at Southampton, but never heard the name of Faulkner, or Gee.

COURT. *Q.* Your correspondence with Mr. Lefevre had no reference to Mrs. Gee? *A.* None at all.

(*The letter from Nantes enclosing the order received by Theleure was as follows:*)

"Nantes, 16th July, 1835. Sir, I have the honour to request that you will do me the favour, in consequence of your friend's recommendation, Monsieur Le Brun, at Nantes, to call at the Deputy Treasurer's office at Chelsea Hospital, to receive my share of prize-money for captures, as authorised by the Lords' Commissioners, on the 12th ultimo. I have the honour to remain, &c. GEORGE LANGLY. Monsieur E. A. Theleure, 46, Great Marlborough-street, London."

(*The receipt given by the prisoner to Theleure on the 26th was as follows:*)

"177*l.* 16*s.* 11*d.* Nantes, July, 1835. At one month after date please, to pay to my order 177*l.* 16*s.* 11*d.*, being the amount of my share of prize-money received by Mr. Theleure, after deducting his expenses, and for which this shall serve as a receipt in full of all demands. GEORGE LANGLY." And on the back was written, "J. T. Flinn, 14, Great Charlotte-street, Blackfriars, London."

(Sir Matthew Wood, Bart., M.P.; William Vizard, Esq., solicitor; and Dr. Lushington, M.P.; all of whom had known the prisoner when in the service of Queen Caroline; deposed to his good character at that period.)

GUILTY of Uttering only. Aged 49.—*Strongly recommended to mercy by the Jury on account of his services.*—Transported for Life.

(There was another indictment against the prisoner.)

First Jury, before Mr. Recorder.

1201. SAMUEL CRAWCOUR was indicted for stealing, on the 27th of February, at St. James's, Westminster, 1 watch, value 12*l.*, the goods of George Donaldson, in the dwelling-house of Myer Solomon; to which he pleaded

GUILTY. Aged .—Confined Six Months.

1202. WILLIAM HENRY COLTMAN was indicted for stealing, on the 13th of March, 27¼ yards of woollen cloth, value 7*l.* 9*s.*, the goods of Joseph Wade, in the dwelling-house of Samuel Adcock.

JOSEPH WADE. I am a cloth-dresser, and live at Leeds, but came to town, and lodged at No. 3, Duke-street, Aldgate. On Friday, the 13th of March, I saw the prisoner in Duke-street—he desired to see some cloth—I showed him a bundle—he requested me to let him take it out to show some parties, and he could sell it—I said, being a stranger, I could not allow it; if he sold it, he must pay for it, or bring the party he sold it to to pay for it, before he took it away—he said he was in the habit of selling cloth at Mr. Adcock's—I said I was going there—I took it there with him, and delivered it to Mrs. Adcock—I told her the prisoner was a stranger to me, and she must have the money before she parted with it—I came away, and saw the prisoner on the road, in Whitecross-street—I went back to Duke-street, and afterwards heard it was gone—I never gave the prisoner leave to fetch it from there—I told him I could not part with it without the money.

Cross-examined by MR. PRENDERGAST. *Q.* Did you make out a bill of parcels? *A.* No, not an invoice—I made a memorandum, "27¼ yards cloth

to Mr. Adcock," and left that with the cloth—it was not a bill—it was in this form, "Mr. Adcock to Joseph Wade," &c.—when I make a bill, I say, "Bought of" such a one—I did not put "Mr. Adcock Dr. to Joseph Wade"—it was not *to*—it was just a memorandum for Mrs. Adcock to receive the money for it if the prisoner took it away—it was merely the particulars—I left the paper with Mrs. Adcock—I carry on business in the name of Joseph and John Wade—I did not put my brother's name in this bill—I believe the bill is in Yorkshire, where I left it—I never saw the prisoner before Friday, the 13th of March—he called on my brother a few days before, but not on me—we were both in town—my brother is always here—I found the cloth at Mr. Nathan's—Adcock bought two pieces of my brother—I cannot tell whether the prisoner disposed of one of them—we had nothing to do with them—what I said to Mrs. Adcock I said before the prisoner, and afterwards privately, as he left the door—he wished to take it away, which I thought unreasonable.

SARAH ADCOCK. I am the wife of Samuel Adcock, and live in Golden-lane, Barbican. Wade is an acquaintance of ours—I have known the prisoner about six months—he and Wade came to me on Friday, the 13th of March, with a piece of cloth—Wade said, "Mr. Coltman is going to bring a person to show this cloth to"—I said, "Very well; it is not to go from my place"—he said, "No"—I said, "Mr. Adcock is not at home; he cannot be accountable for the cloth"—the prisoner went to the door—Wade went after him, and they went away together—Wade returned again, and said, "You must not let the cloth go"—I said, "Take it off the counter, and lay it on the shelf"—he did so—the prisoner returned in about five minutes, came up the shop, and said, "Well, Mrs. Adcock, I must take this piece of cloth"—I said, "No, you must not; Mr. Wade, said you must bring the parties to look at it"—he said, "No, I can't bring them; Wade says I may take it; it is all right, if it was twenty pieces"—I said, "I can't give you leave to take it"—he went out of the shop with it, saying, "I will return the cloth or money in an hour's time"—I did not give it to him, he took it off the shelf, and took it away—he did not come back that day—he came next day about half-past twelve o'clock—I said, "You have got me into a fine deal of trouble"—he said, "What is that?"—I said, "About the cloth; I hope you will go and fetch the cloth or the money immediately"—he said, "I will," but he never came back.

Cross-examined. Q. He did not come back the second time? A. No—that was on Saturday—I asked him where the cloth was—he said, "At Mr. W. Dufton's, No. 56, Basinghall-street"—I put the cloth on the shelf by the side of the counter—my husband keeps a woollen-shop, not a woollen-draper's—we sell flock and things—I told the prisoner he must not take it, but he did take it—he used no violence in taking it—I did not oppose his taking it when he told me Wade said it was all right—I could not tell what conversation had passed after they left my house together—he had no business to take it when I told him he should not—it was half-past four o'clock in the afternoon—I have known him about six months—my husband was in Kent at the time—I have not got the bill—my son took it back to Mr. Wade that evening—my husband had bought a few pieces of cloth of Mr. Wade before—the prisoner did not dispose of a piece of cloth for my husband to Mr. Dufton shortly before—my husband took it to Mr. Dufton's in company with

the prisoner—my husband has been not paid for all of it yet—the prisoner had no business to ask Wade to bring the cloth to our house.

HENRY NATHAN. I am a warehouseman, in Cheapside. I have known the prisoner about five years—he came to me on Thursday, the 12th of March, and said me he thought he could sell something for me, and he would call on Friday—on Friday he brought this cloth, and said, "Will you allow me to take this tweed, and I will leave this cloth the while?"—I said, "Certainly"—he said, "I will bring you the money on Saturday"—he left the cloth, and took away the tweed—he came on Saturday, and said, "I have not sold the tweed, but no doubt I shall be able to sell it to-morrow, and I will then come and bring you the money, and take away the cloth.

Cross-examined. Q. Was there any understanding between you and him that the cloth was to become your property? *A.* No—he has left goods with me as security before for things of mine which he has taken away to sell—I never heard any thing against his character.

JAMES REGAN (*City police-constable, No.* 291.) I took the prisoner, on Saturday evening, at Adcock's—I found a bill of Nathan's on him—I went there and found the cloth—Adcock's house is in the parish of St. Giles Without, Cripplegate—when I told him it was at Nathan's, he said it was there, not before.

(*Property produced and sworn to.*)

(The prisoner received a good character.)

GUILTY. Aged 38.—*Recommended to mercy.*—Confined Three Months.

1203. THOMAS BICKFORD was indicted for unlawfully, maliciously, and feloniously assaulting Edwin Augustus Smith, on the 23rd of February, and a certain gun loaded with gunpowder and leaden shot did shoot off and discharge at him, thereby grievously wounding him in and upon his right eye, right side of his face, right arm, and right hand, with intent to do him some grievous bodily harm.

MR. RYLAND *conducted the Prosecution.*

EDWIN AUGUSTUS SMITH. I am a camel-hair-pencil-maker, and live in King's-row, Cambridge-road, Mile-end. On Sunday afternoon the 25th of February, I was passing over the City-of-Paris-bridge in Bishop Bonner's fields, with my brother and several others—my brother and I were walking together—we met the prisoner with two other men—the prisoner had a gun in his hand, and was saying to some young men standing close by, "Stand out any of you and I will fire at you"—hearing him say that, I held up my hand, pointed to a hole in my glove, and said, "Here is a hole in my glove, fire at that"—I was about three yards from him—he had not said any thing to me—he put the gun up to fire at me—I said, "That is too near"—then he went further back, about twelve yards altogether—I did not retreat from him at all—I then turned round with my back towards him, stooped down, and told him to fire at that, meaning my——he did not fire then—I then turned round again, held up my hand, and pointing to the hole in my glove, told him to fire at it—he then put the gun up to his shoulder and fired at me—he raised it about half-a-minute, or a minute, before he fired—I stood all that time with my hand up—the shot entered my right eye, and I have lost the sight of it—I bled a great deal, and received a great many shots, in all about a hundred, in my hand and arms, and a few in my face—I cannot tell whether he saw that he had hit me—

when I received the wound I did not cry out—I stood—somebody held me up, or I should have fallen—I did not hear him say any thing—he seemed to say some words exultingly, and then turned round and went from me—I went after him when I recovered a little, and said, "Why did you shoot me?"—he said, "Oh, it is only dust-shot"—the two young men, the prisoner, I and my companions, then all went over the bridge together—he took off my handkerchief, and wiped the blood from under my eye, and said, "Oh, you are not hurt much, I see"—we then went on about three hundred yards—he then gave up the gun to one of the other young men who said something to him—he said, in answer, "Oh, I knew it was loaded, but it was only dust shot"—I afterwards said, "If you are any thing of a man you will come to a doctor's with me—when we got to the City-of-Paris public-house, the man with the gun went away—I, the prisoner, and another young man went up to the end of the pathway and the other young man then left—I and the prisoner were together with my two companions—we went to see a doctor, but he was not at home—before that I sent my brother to look for a policeman—after standing outside the doctor's about ten minutes the prisoner said he wanted to go home, and if we wanted him we were to come to his house for him, and he would tell us where he lived—I said I could not leave him—I believe he told me where he lived, but I do not recollect where it was—we then crossed the street, and stood on the other side—we went to the Rising Sun public-house, at the corner of Globe-lane—we waited outside either ten minutes or a quarter of an hour—he then wanted to go home—several people standing round said I must not let him go—we then went up to Bethnal-green church—there the policeman and my brother came up, and I gave him in charge—we then went up to several doctor's, who were not at home—we then went to the station-house, and Dr. Storey took about forty shots from my right arm, he examined my eye, and sent me to the hospital, where I have been ever since.

Cross-examined by Mr. Prendergast. *Q.* You had never seen the prisoner before? *A.* Never, to my knowledge—he said nothing to me—it was I first addressed him, and told him to shoot at my hand—I did not expect he would fire at me—I saw him point the gun towards me—my glove was on my hand when I held it up—I was quite sober—I had only drank half-a-pint of beer all day—I think the prisoner was sober—he gave me some name, but I do not recollect what it was.

Angelo Henry Smith. I am the prosecutor's brother, and live with him. On the 23rd of February I was walking with him and some companions—by the City-of-Paris-bridge, I perceived three men standing together—the prisoner, who was one of them, had a gun—a few gentlemen were standing by him—I heard him say something, but I could not tell what—I then heard my brother call out to him, but could not hear what it was—I saw my brother stoop, but could not tell exactly what it meant—the prisoner held his gun to his breast, but not in an attitude to shoot—my brother then held up his hand, and said, "If you can, shoot through the hole of this glove—I am sure you cannot, for it is not loaded"—the prisoner then held the gun to his breast, then to his shoulder, and then fired—I should think he was ten or fifteen yards from my brother—the blood ran from my brother's face and right eye—he would have fallen to the ground, only one of my friends held him up—he came to himself, ran to the prisoner, and asked him why he shot him—he said, "Oh, it was only loaded with dust-shot"—the prisoner had turned from him to go home—my brother then asked him to go to a doctor's with him, which he did, but he was

not at home—after walking about a good deal, we got a policeman, and went to the station-house, where the doctor took some shot out of my brother's arm.

Cross-examined. *Q.* Was not what the prisoner said, "I did not know that it was loaded?" *A.* I did not hear him say so—I saw him give up the gun to one of the young men who was with him, and he went away with it.

GEORGE STURGETT. I was with Smith, and saw him shot—I went and got a policeman.

GEORGE PANELL BUDD (*police-constable K* 263.) On the 23rd of February Angelo Smith came to me—I went with him to Bethnal-green church, and there found the prosecutor walking with the prisoner—he was sober—I saw blood flowing from his eye—we went to two doctors, but did not find them at home—he then gave the prisoner in charge, for wilfully shooting at him—the prisoner heard it, and said nothing—he was asked at the station-house why he did it—he said he was provoked, but still had he been aware the gun was loaded, he should not have presented it as he did.

Cross-examined. *Q.* Did he not appear very sorry? *A.* He did not say any thing to me—he did not say in my presence that he was walking along, and there were some men with a gun, but I was only there a short time, as I had to go for the doctor—Dr. Storey saw him at the station-house—he is not here.

EDWARD CHARLES WILLIS. On the 23rd of February I was on duty at the London Hospital, as house-surgeon—the prosecutor was brought there—I heard that he had previously seen some other medical man—I found his right eye lacerated, several shot-marks on the arm, two on the face, just below the eye, and a few on the thigh—I examined the eye, but could not ascertain whether there were any shot-marks in it—on the Wednesday following I removed one shot from the eye—I fancied some others remained in the eye, but have never been able to satisfy myself of that—he has quite lost the sight of his eye—I fear he will never recover it.

Cross-examined. *Q.* Then there is some hope? *A.* Possibly cataract might arise from it, and in that case he might be operated upon, and recover his sight, not else—the shot was lodged in the centre of the globe—it is the smallest shot that is made—here is the shot that I removed from the eye—(*producing it*)—it is called dust-shot—I removed one from the eye and two from the arm, and I saw a few had been removed—there were about thirty shot-marks.

(MR. PRENDERGAST, *on the prisoner's behalf, stated, that he was walking in the fields, and saw three or four men shooting sparrows; he took up the gun, not knowing it was loaded, and on the prosecutor saying he could not hit the hole in his glove, he fired it off, and then gave it back to the person it belonged to.*)

(The prisoner received a good character.)

GUILTY of an Assault. Aged 36.—Confined Two Months.

1204. JOHN WILLIAMS was indicted for stealing, on the 5th of March, at St. Andrew, Holborn, 1 coat, value 2*l.* 10*s.*, the goods of Henry Robert Watts; 2 coats, value 6*l.*; 7 pairs of trowsers, value 4*l.*; 7 waistcoats, value 1*l.* 6*s.*; 3 shirts, value 10*s.*; 1 scarf, value 4*s.*; 1 handkerchief, value 4*s.*; 3 pairs of gloves, value 2*s.*; 1 dressing-case, value 1*l.*;

l watch, value 5*l.*; 1 watch-ribbon, value 6*d.*; 1 slide, value 1*l.* 10*s.*; l seal, value 1*l.*; 1 watch-key, value 5*s.*; 1 eye-glass, value 15*s.*; 1 pin-:ushion, value 6*s.*; 2 pieces of foreign silver coin, value 18*d.*; and 1 six-)ence, the property of James William Watts, in the dwelling-house of Tames Watts.

JAMES WILLIAM WATTS. I live at the White Horse public-house, High Holborn. The house belongs to my father, James Watts, and is in .he parish of St. Andrew, Holborn. On the 5th of March I missed the irticles stated—I had seen them safe about a quarter of an hour before twelve o'clock that day on the floor—part of them were in drawers—the dressing-case and Macintosh were not—at two o'clock that day the pri-soner came into the coffee-room, sat down, and called for some beer and :he newspaper, while myself and two other persons were dining in the same room—he was taken into custody in the house, about half-past two)'clock, and a satin waistcoat and silver watch found on him in my pre-ience—the other clothes were lying on the table—the waistcoat was in his iat—the dressing-case was lying on the table in the bar-parlour—on)pening the bundle, it contained the other articles—it was tied in a black ilk handkerchief, which has since been given up to the prisoner.

Cross-examined by MR. DOANE. *Q.* Are you living with your father? *A.* Yes, as his clerk—the articles have been given to me by my father—I im nearly nineteen years old—my brother is twenty—he is not here—I know this is his coat.

GEORGE WAKELING. I am waiter at the White Horse public-house. The prisoner came there on the 5th of March, about a quarter to twelve)'clock, and asked for a glass of half-and-half and a newspaper, which I ierved him with—there was nobody but him in the coffee-room then—I was afterwards in the kitchen, which is on the first floor, and heard)omebody coming down stairs—I went and found the prisoner coming down stairs with two bundles—he was on the first-floor—he had a Macintosh on previously, and I saw he had thrown that over the bun-dle on his arm—it was not on his person then—I said, "Halloo, what have you there?"—he went down stairs, threw the bundle down, and ran away into the street—I followed him, and called to the cook to take care of the bundle—I gave an alarm in the street, stopped him, and a young man ran with me into Dean-street, and into a green-grocer's shop —I collared him, took him back, and gave him in charge—two or three pairs of gloves and a watch was taken out of his pocket, and a satin waistcoat out of his hat—he then wore mustachios, which he had not on before the Magistrate—I never lost sight of him till he was stopped.

Cross-examined. *Q.* There was no body else in the coffee-room? *A.* Yes, when we first went in there were two or three—I fancied I heard a noise before—the prisoner was then in the room I showed him into—there s an ordinary there every day.

ELIZABETH SELF. I am cook at the White Horse. On the afternoon)f the 5th of March I saw the prisoner on the stair-case going down with he bundle—when he got to the bottom of the stairs he dropped the)undle and a Macintosh, and ran away—I took them up and threw them nto the bar-parlour—they were afterwards delivered to the constable— ifter he came back he put the Macintosh on.

JAMES GARNER (*police-constable E* 132.) I went to the White Horse)ublic-house in consequence of information, and took the prisoner—I found)n him a watch, a Macintosh coat, and a satin waistcoat in his hat—he

was wearing the Macintosh—I found about three pairs of gloves in the pocket, a gold guard round his neck, and a gold watch in his waistcoat pocket—he wore mustachios.

Cross-examined. *Q.* I believe the gold watch and chain are not claimed by the prosecutor? *A.* They are not.

JAMES WILLIAM WATTS *re-examined.* This is my silver watch and satin waistcoat—both the Macintoshes were thrown down when he left—the dressing-case was in the bundle—this eye-glass is mine—there are two coats and seven pairs of trowsers—the watch and seals together are worth 7*l.*—I am certain they are above the value of 5*l.*

GUILTY. Aged 24.—*Recommended to mercy.*—Transported for Ten Years.

NEW COURT.—*Saturday, April 11th,* 1840.

Sixth Jury, before Mr. Common Sergeant.

1205. JAMES MILLARD was indicted for stealing, on the 21st of February, 2 watches, value 5*l.*; 3 watch-chains, value 1*s.*; 2 seals, value 6*d.*; and 5 watch-keys, value 6*d.*; the goods of Joseph Bymer; to which he pleaded

GUILTY. Aged 19.—Transported for Seven Years.

1206. JOHN SMITH was indicted for stealing, on the 1st of April, 3lb. 15oz. weight of bacon, value 2*s.*; the goods of Samuel Earl; to which he pleaded

GUILTY. Aged 16.—Transported for Seven Years.

1207. WILLIAM MASSEY was indicted for stealing, on the 4th of April, 1 coat, value 3*l.* 5*s.*, the goods of Thomas Basfield.

THOMAS BASFIELD. I am a tailor, and live in Aldgate. On Saturday last I was in my shop, and saw the prisoner snatch a coat from off the block inside the door—he ran off—I went after him and he threw the coat down, and while I was picking it up he got a few yards a-head—he was then brought back by the policeman.

Prisoner. *Q.* By what do you identify me? *A.* By seeing your face very plainly—I did not refuse to sign my deposition.

Jury. *Q.* Did you ever lose sight of the prisoner? *A.* Yes, while I was picking the coat up—a wagon was going past at the time—I saw him very plainly take the coat, and I was within arm's length of him for one hundred yards.

WILLIAM WREFORD (*City police-constable No.* 153.) The prisoner was given to me by Mr. Pound, the ward beadle.

Prisoner. *Q.* Did not the prosecutor refuse to sign the deposition on Monday? *A.* No, he never refused at all—there was a very heavy case on—he wanted to go home to his business, and signed it the next day.

Prisoner's Defence. I was in Fenchurch-street, and heard the cry of "Stop thief"—I saw the prosecutor take the coat up—I ran after the person, but lost sight of him at the corner of Duke-street—I was then taken—I told where the cry came from, and walked back to the shop—the prosecutor said he thought it was me by my having a hat band on—I only came from Birmingham on the Monday before.

GUILTY.** Aged 22. Transported for Seven Years.

1208. HENRY BARTLETT and JOHN WATSON were indicted for stealing, on the 4th of April, 2 carriage-glasses and frames, value 7*s.*; and 2 horse-cloths, value 5*s.*; the goods of Henry Burbridge.

HENRY BURBRIDGE. I keep the White Horse livery stables, Upper North-place, Gray's Inn-road. I had two carriage-glasses and two horse-cloths safe on Friday, the 3rd of April, and the next morning they were gone—my outer gate had marks both inside and outside, as if a person had climbed up and got in—these are my glasses—I know them by the strings.

THOMAS PERRY. I am in the prosecutor's service. On Friday night, the 3rd of April, I locked my master's gates at half-past twelve o'clock—there were marks on the gates the next morning, as if a person had got over—I know these are my master's glasses—one is plate glass, and one is not—I have no doubt of their being my master's.

DAVID ELLIOTT. I am ostler to the prosecutor. On Saturday morning last I came to the yard about twenty minutes before five o'clock, and found the gates open—I went down the yard and saw two whip-sticks under a *cab*, with the thongs cut off, and the glasses were gone out of the *cab*—these are them.

GEORGE NORTH (*police-constable G* 99.) About three o'clock last Saturday morning I stopped the prisoners—Watson had these cloths wrapped round these two glasses—I asked him what he had got—he said they were *cab* glasses, and directly Bartlett stepped up, and said they were his, that he brought them from Mr. Langridge's, in Eagle-street, and that he drove for him—the cloths have the prosecutor's name on them—I found the driver's license on Bartlett.

BARTLETT—GUILTY. Aged 21.
WATSON—GUILTY. Aged 20. } Confined Six Months.

1209. MARIA WESTMORE and ELIZABETH WESTMORE were indicted for stealing, on 13th of March, 10 yards of mouselin de laine, value 8*s.*, the goods of James Davies.

HENRY ELDRIDGE. I am shopman to James Davies—he is a linen-draper, in Whitechapel-road. On the 13th of March, about four o'clock in the afternoon, the prisoners came to the shop—I showed them several things, and after a time Elizabeth left the shop—suspicion was excited, I followed her, and saw her outside the window—I attempted to look in her basket—she moved off, and I followed, and brought her back—I found in her basket these two new dresses, one of which belongs to my master—her mother, (the other prisoner,) who was all this time in the shop, asked what he had been doing, and the girl screamed out to her mother—they had been close together while they were in the shop.

Cross-examined by MR. PHILLIPS. *Q.* You found the mother in the shop when you came back? *A.* Yes.

WILLIAM FEARN (*police-constable K* 105.) I took the prisoners, and have the dresses—the mother kept crying out "What have you been doing?"

M. WESTMORE—NOT GUILTY.
E. WESTMORE—GUILTY. Aged 10.—Confined One Month.

1210. MARIA WESTMORE and ELIZABETH WESTMORE were *again* indicted for stealing, on the 4th of March, 33 yards of linen cloth, value 2*l.* 3*s.*, the goods of Cornelius Harris and another.

DAVID SMEETON. I am shopman to Mr. Cornelius Harris and another,

at Stratford. On the 4th of March the prisoner Maria came into our shop with a little girl, but I cannot swear that it was the prisoner Elizabeth—when they had left about a quarter of an hour I missed a piece of Irish linen—a part of it is here now, which has our private mark on it.

JOHN BATEMAN. I am foreman to Mr. Crawley, a pawnbroker, at Bow. I produce these remnants of cloth which I took in of the elder prisoner—they are new, but I know her husband is a respectable man—he is a sawyer, and can earn from 3*l.* to 4*l.* a week.

(Both the prisoners received good characters.)

M. WESTMORE—GUILTY. Aged 33.—*Recommended to mercy.*
Confined Three Months.

E. WESTMORE—NOT GUILTY.

1211. ANN NEALE was indicted for stealing, on the 4th of April, 1 candlestick, value 12*s.*, the goods of Thomas Hawes: and 1 pair of shoes, value 2*s.*, the goods of Thomas Vesper and another.

GEORGE SAVAGE. I am shopman to Thomas Hawes, a pawnbroker, in Whitechapel. This candlestick was safe outside the shop window on Saturday morning last.

Cross-examined by MR. DOANE. *Q.* At what time? *A.* About ten o'clock—I missed it between one and two o'clock, when the policeman brought it.

SAMUEL BASTEN. I am in the employ of Thomas Vesper and another. On the 4th of April they lost a pair of shoes—these are them—they have Mr. Vesper's mark on them.

Cross-examined. *Q.* Were they in a basket outside the door? *A.* Yes—a young man took them away from the prisoner in my presence, about fifty yards from the shop—they were under her apron—she offered to pay for them.

JESSE M'PHERSON. I live in White Horse-street, Stepney. On the 4th of April, about twelve o'clock, I was at the corner of the street, near Mr. Vesper's shop—I saw the prisoner take a pair of shoes out of the basket and put them under her apron.

(The prisoner received a good character.)

GUILTY. Aged 23.—*Recommended to mercy.*—Confined One Month.

1212. JAMES PERKINS was indicted for stealing, on the 20th of March, 1 counterpane, value 6*s.*; and 2 plates, value 1*s.* 6*d.*; the goods of Charles Astle, his master: and 2 plates, value 3*d.*; 1 towel, value 1*s.*; 1 egg-cup, value 2*d.*; 1 wine-glass, value 3*d.*; and 3 keys, value 1*s.* 6*d.*; the goods of John Austin, his master.

SARAH ASTLE. I am the wife of Charles Astle—I live at Tottenham—the prisoner was groom to my brother, John Austin. I lost a counterpane and two plates, the other articles were my brother's—this is my counterpane—(*looking at it*)—and these two plates—no one could get to them without picking the lock—there is a little roughness on one of these plates, and the other has a little yellow mark on the back—the key of the place where they were kept was found on the prisoner—he did not lodge with us—the only thing I would venture positively to swear to is this counterpane, and the other things resemble what are lost.

Cross-examined by MR. PAYNE. *Q.* When you were going with your other servant, Dorrington, to the station-house, did you not meet this prisoner, and give him into custody? *A.* My brother did—my husband is not here.

ROBERT BUTCHER (*police-constable N* 37.) I was sent for to the prosecutor's house—I found the prisoner's box down in the kitchen—I got the key from him, and found in it all the articles now produced—Mr. Austin and Mrs. Astle were present when I searched it—I found in it this key, which fitted the wine-cellar—I found on the prisoner this other key, which he said was the key of nothing, but it fitted the store-room.

Cross-examined. Q. When you searched the box the prisoner was not present? A. No.

GUILTY. Aged 22.—*Recommended to mercy.*—Confined Four Months.

1213. EDWARD ROBINSON was indicted for stealing, on the 31st of March, 1 coat, value 1*l.* 5*s.*; 1 pair of trowsers, value 1*l.*; 1 waistcoat, value 10*s.*; and 1 handkerchief, value 1*s.*; the goods of Samuel James Radden.

SAMUEL JAMES RADDEN. I lodge in Reform-place, White Cross-street, and am a smith. The prisoner lived in the same house with me—these articles are mine—(*looking at them*)—I lost them on the 31st of March.

WILLIAM WOOLLAMS SOLOMAN. I am shopman to Mr. Brown, a pawnbroker. I produce these articles which were pawned by a boy.

JAMES BRANNAN (*police-sergeant G* 20.) I went to the prisoner, and had a conversation with him, and he took me to the pawnbroker's where I found this property.

GUILTY.* Aged 12.—Transported for Seven Years.—Isle of Wight.

1214. FRANCIS ROBERTS was indicted for stealing, on the 8th of April, 1 cloak, value 1*s.*; 1 pinafore, value 6*d.*; 1 apron, value 1*d.*; and 2 ornaments, value 1*s.*; the goods of Henry Robert Davis.

ELIZABETH DAVIS. I am the wife of Henry Robert Davis. On the 8th of April, about eleven o'clock in the morning, the prisoner came to take an apartment—I showed him one up stairs, and then we proceeded to the parlour—he asked for a pen and ink to write his address, and then asked for a glass of water—I took a glass, and went to the back parlour to wash the glass—I heard him at the mantel-piece—I looked, and saw him put something into his pocket—I then came into the parlour, and saw him put something into his hat—I heard a knock at the street-door, I went, and it was a gentleman applying for apartments—I said I had only one room—he wanted two, and went away—I returned to the parlour—the prisoner gave me his direction, and went away—I followed, and saw him running up Stanhope-street—I pursued him up another street, and then I kicked against this apron and pinafore—I stopped to pick them up, and then followed the prisoner—I lost sight of him at the bottom of Wild-street, and in a few minutes I saw him in custody—I missed a cloak, a child's pinafore, an apron, and two ornaments—these are them—(*looking at them.*)

Prisoner. Q. Can you swear I took them? A. Yes, because they were in my parlour when you went there—I did not see you throw them away.

SARAH WRIGHT. I was in Princes-street, and saw the prisoner throw some china out of his pocket—the fur of this little cloak was sticking out of his bosom, and Mrs. Davis was calling "Stop thief."

DAVID COOPER (*police-constable G* 125.) I was on duty, and saw a crowd—the prisoner was stopped—I took him, and a woman brought this

child's cloak, and said to him, "You have just dropped this cloak"—which he did not deny.

GUILTY.* Aged 55.—Transported for Seven Years.

1215. RICHARD TYLER was indicted for stealing, on the 13th of March, 1 bed, value 3*l.*; 1 bolster, value 10*s.*; 1 pillow, value 8*s.*; 2 sheets, value 8*s.*; 1 counterpane, value 5*s.* 6*d.*; 1 blanket, value 6*s.*; and 10 yards of rope, value 6*d.*; the goods of George Ross.

GEORGE ROSS. I live in Charles-street, Middlesex-hospital, and am a tailor. The prisoner took a ready furnished lodging of me on the 13th of March—I went to bed that night, and about half-past ten o'clock I heard a noise, and about half-past twelve o'clock I heard the prisoner open the street-door—I went to him, and he asked me for the water-closet—I showed him the way, and went up stairs again—I then heard him run out—I pursued him, and took him with my sheets round his body—the bed was taken off his bedstead, and rolled up with the other things, ready to be removed.

Prisoner's Defence. I was reduced to great distress, and have two children to support—it was my intention to have sent the bedding back in a fortnight, when I should have got employ.

GUILTY. Aged 38.—Transported for Seven Years.

1216. CATHERINE FITZGERALD was indicted for stealing, on the 22nd of March, 3 handkerchiefs, value 8*s.*; 1 comb, value 1*s.*; 1 apron, value 6*d.*; and 1 pair of cuffs, value 1*d.*; the goods of Charles Millinger: to which she pleaded

GUILTY. Aged 19.—*Recommended to mercy.*—Confined One Month.

(The prisoner received a good character.)

1217. WILLIAM PINFOLD was indicted for stealing, on the 7th of January, 1 purse, value 2*s.* 6*d.*; 4 shillings, and 4 pence; the property of John Thomas Brigg; from the person of Martha Sarah Brigg: and that he had been before convicted of felony.

SARAH BRIGG. I am the wife of John Thomas Brigg, of Lamb's-passage, Chiswell-street. On the 7th of January I sent my daughter Martha Sarah, about four o'clock in the afternoon, for a quartern loaf—she is six years old—I gave her a crown-piece in a steel purse—in about ten minutes I heard her scream, and then she screamed again—I went out, and Palmer told me something—the child had the basket and loaf, and she ought to have had 4*s.* 4*d.*, but she had nothing—she said they had taken it out of her hand.

ELIZA ROBERTS. I am the wife of George Roberts, a baker in Chiswell-street. The little girl came to me for the loaf—I gave her four shillings and fourpence change—she left me with the purse, money and loaf in the basket.

THOMAS JOHN PALMER. I live in Cooper's-court, Wilson-street. On the 7th of January I was in Lamb's-passage, Chiswell-street, about half-past four o'clock—I saw the prisoner and two other persons taking away the money from the child, who had a basket, and a loaf of bread in it—I saw the prisoner put his hand on the child's face, and Wood, who has been convicted, took the money from her.

Cross-examined by MR. PAYNE. *Q.* What were you doing? *A.* I was going along, to go over the water—I can swear that I recollect the prisoner, I saw him for about three minutes—I saw him again at the sta-

on-house one Saturday, I cannot recollect how long ago—I swear he is ie person—I had never seen him before this.

ROBERT EDWARD DOCKING. I keep the Coach and Horses public-ouse. A little before five o'clock that evening, the prisoner and two her persons came to my house for some ale—Mrs. Brigg came in soon ter, and asked if such persons had been there, I said, "Yes," and ey were gone out the back-way—while they were in my house a woman me to the door and beckoned them out—they went out and left the ale d money behind—they at first called for a pint, and the prisoner told me make a pot of it.

Cross-examined. *Q.* How do you know it was the 7th of January? . Because the time was taken notice of—I had a friend in the bar, and hen they were called out I took notice of it—I gave evidence in the se of Wood and the other about a week after—they were taken on the onday following.

JAMES BRANNAN (*police-constable G* 20.) I apprehended the other two risoners on the 13th of January, in Cherry-tree-alley—this prisoner ood opposite, and when I took the female he ran away—I have been oking for him ever since.

Cross-examined. *Q.* Did you not know where he lived? *A.* Yes—I ave been there repeatedly, and to other places—I know where his father ves, and have inquired there for him.

WILLIAM COOK (*police-constable N* 96.) I produce a certificate of the risoner's former conviction, which I got from the Sessions-house, Cler-enwell—(*read*)—the prisoner is the person who was tried.

GUILTY. Aged 19.—Transported for Ten Years.

1218. ANN DAVIS was indicted for stealing, on the 3rd of March, 1 hawl, value 2*s.*, the goods of David Davies.

MARGARET DAVIES. I live in Peter-street, Westminster, and am the ife of David Davies. I knew the prisoner, and allowed her out of cha-ity to take her meals at my house—about a month ago I missed a shawl ut of my room—this is it, and the one I missed—(*looking at it.*)

Prisoner. You lent it me. *Witness.* I lent it her once, and she returned —I did not lend it her again—she had no right to pawn it.

ELIZABETH SMITH. I live in Ann-street, Westminster. I know the risoner by seeing her in Charing-cross Hospital—she came to me one aturday afternoon and bought a pennyworth of chesnuts, and on the unday she gave me the duplicate of this shawl and two others—I gave hem to the officer—the prisoner borrowed sixpence of me and told me he lived at the prosecutor's and had not left there.

WILLIAM FOX (*police-constable B* 118.) I took the prisoner.

Prisoner's Defence. I called at the prosecutrix's house; she said she ould employ me; I was there five weeks and three days for 1*s.*; she lent ae the shawl twice. I was in great want, and pawned it.

GUILTY. Aged 30.—Confined Two Months, without hard labour.

Fifth Jury, before Mr. Sergeant Arabin.

1219. WILLIAM WALKER and FRANCIS GRIFFITHS were ndicted for stealing, on the 27th of March, 128 lbs. weight of lead, value 8*s.*, the goods of the Earl de Grey and others, and fixed to a certain uilding; against the Statute, &c.

MR. CLARKSON *conducted the Prosecution.*

JAMES ROBERTS. I live in Duke-street, St. James's. I am the ap-

pointed collector of the rates of St. James's-square—the square and the ornaments on the east, north, and west sides of it, are vested in certain trustees, by an act of parliament—Earl de Grey is one of the trustees, and there are more than one other. On Saturday afternoon, the 28th of March, I went into the square, and observed that the lead had been stripped off the roof of the summer-house there—I had seen it safe the day before—it had been placed on the summer-house by Messrs. Knight, by my direction, and I paid for it out of the funds furnished by the trustees—I have since seen the lead fitted to the place—this is it—(*produced*)—these two pieces I particularly know as having some paint attached to them, as there is to the other parts of the building—it had been nailed down.

JOSEPH JUDGE. I am in the employ of Messrs. Knight, of York-street. In 1837 I laid the lead on the summer-house, in St. James's-square—on the 30th of March I went to that summer-house, and this lead was produced to me—I compared it with the place from whence lead had been taken, and in my judgment it had been taken from there—it tallied in all respects.

WILLIAM MILLERMAN (*police-constable B* 95.) In consequence of information, on Friday night, the 27th of March, I apprehended Griffiths in Brewer's-green, Westminster—I asked if he had seen Walker that evening—he said he had not—I asked him if he knew any thing about any lead—he said, "Yes, I have, you know all about it"—I compared the lead with the place, in company with the plumber, and it corresponded exactly.

WILLIAM BUTLER (*police-constable B* 139.) About a quarter-past nine o'clock, on Friday evening, the 27th of March, I met the prisoners in Tothill-street—they were together, but Griffiths was rather before Walker, and was carrying a bundle—I stopped him—he said he had got some lead, which he brought across the park—I called to Walker to stop—he had got some lead—I said I would take him to the station-house—he struck me with this piece, and kept brandishing it at me, and said I should not take him—another officer came up, and we took him to the station-house—Griffiths got away—as Walker was going to the station-house he threw down some lead, and at the station-house I took some more from his jacket pocket, rolled up—I found a knife on Walker, which appeared to have been cutting lead.

Walker's Defence. I was coming from work, and saw this lead alongside the south rails in the park.

Griffith's Defence. Coming across the park, I picked it up.

WALKER—GUILTY. Aged 21.
GRIFFITHS—GUILTY. Aged 23. } Transported for Seven Years.

1220. WILLIAM PARKER was indicted for stealing, on the 4th of March, 1 coat, value 30*s.*; 1 handkerchief, value 5*s.*; 1 pair of gloves, value 1*s.*; 1 pair of curling-irons, value 6*d.*; 1 pair of scissors, value 1*s.*; 1 comb, value 6*d.*; and 1 brush, value 6*d.*; the goods of John Taylor, his master.

JOHN TAYLOR. I am a hair-dresser. The prisoner had the care of one of my shops in Old-street—he worked for me two years—he had 6*s.* a week, board and lodging—on the 4th of March, when I came home to dinner, he said a gentleman wanted his hair cut—I left, and went to my other shop, and supposed that he was gone to cut the gentleman's hair—my wife sent word to me that he had absconded—she was at the shop when he went out.

Prisoner. Q. Are you aware that Mr. Taylor lent me the coat? *A.* I was not there—I did not lend it—I had seen my handkerchief safe on the 2nd of March—it is not customary for hair-dressers to carry tools of this description in their apron-pockets—I have seen the prisoner with these tools.

EVERILDA TAYLOR. I am the wife of John Taylor. The prisoner was in my husband's employ; and, on the 4th of March, he said at dinner-time that he was going to cut a gentleman's hair at the corner of Bath-street—he put on my husband's coat, then turned to me, and said, "Don't I look nice?"—he said it was cold, and I told him to make haste—he went out, and was gone a long time—I then went to the gentleman at the corner of Bath-street, and he had not been there.

Prisoner. Q. Did you not ask me to put that coat on? *A.* No, I did not—the handkerchief was in the coat-pocket—it is customary to carry tools in the apron-pocket when you go to cut hair.

DANIEL SEXTON. I am an officer. On the 6th of March the prisoner came to my house in Maidenhead, and said he wanted to deliver himself up, as he had robbed his master in London of a coat, curling-tongs, and other things—he had a pair of gloves, which he said were his master's—I took him to a Magistrate, who ordered me to write to London.

Prisoner's Defence. Mrs. Taylor lent me the coat; I went to cut a gentleman's hair, and he was not at home; I took a walk, and met some friends, I got tipsy, and disposed of the coat; I wandered to Maidenhead, and when I came to myself I delivered myself up.

NOT GUILTY.

1221. HENRY CATLINS was indicted for stealing, on the 10th of October, 18 trusses of hay, value 16*s.*, the goods of Mary Ephgrave; and that he had been before convicted of felony.

AMOS EPHGRAVE. I am the son of Mary Ephgrave; she keeps a little farm at St. Stephen's, in Hertfordshire—she sent me to town on the 10th of October, with half a load of hay to sell—the prisoner met me at Paddington—I had a slight knowledge of him before, but I had never sold him any hay—he asked how much I wanted for that hay—I said 2*l.*—he said he would give me 36*s.* for it, and it was for his master, it was not for himself—I said, very well, he should have it—as we were going along I asked if his name was not Catlins—he said, "No"—we went on to a yard in Westminster—he went in, and said his master was not at home there—we then went on to Tothill-street, and I saw him speak to Mr. Wall, who I thought was his master—he then came, and told me to go into the yard and unload, which I did—I then asked him for the money—he said, "If you will wait ten minutes I will bring you the money—I waited for an hour and a half, and he did not come—I then spoke to Mr. Wall, and told the policeman—I went to my mother without the money—I saw no more of the prisoner till I went before the Magistrate at Edgware—I then knew him.

Prisoner. Do you recollect telling me any thing when I was coming along the road handcuffed? *Witness.* Nothing that I am ashamed of—I did not say that Mr. Butler told me I was to swear to you as being the man—he did not tell me to say you was the man; nor that your name was Catlins—I swear you are the same man—you told me to say it was a man very much like you, but I did not think you was the man.

HENRY WALL. I live in Westminster. I bought this load of hay of a man resembling the prisoner, and to the best of my belief he is the man—

this boy was with him—the prisoner came up the yard and asked me to buy the hay—I said it was not good enough—he said he would sell it accordingly—I went down and saw the boy with the load—I said to the prisoner "I will give you 1*l.* 15*s.* for it, but I don't want it"—I walked away—he came and said I should have it—he unloaded it, and I paid him 1*l.* 15*s.* for it.

JEREMIAH FELSTEAD. I am a cabinet-maker. In October last I was in Tothill-street, about ten o'clock one morning, and saw the prisoner with this boy—I have no doubt he is the man.

JOHN HODGSON (*police-constable S* 255.) I took the prisoner on another charge—this boy came and identified him.

JOHN HILDITCH. I am the master of Watford Union Workhouse. I produce a certificate of the prisoner's former conviction at St. Albans, which I got from the policeman who had it from Mr. Storey, the Clerk of the Peace—I know this is Mr. Storey's writing—(*read*)—I was a constable at the time—the prisoner is the person.

Prisoner's Defence. I was at work in the country; when I was taken, Mr. Wall and his servant both came and said I was not the man; and in about an hour they took me to Mr. Wall's house, where I saw a woman who I suppose was his wife, and she said I was not the man he had paid the money to; I was at work at Stanmore at the same time.

GUILTY. Aged 23.—Transported for Fourteen Years.

1222. JANE THOMPSON was indicted for stealing, on the 14th of April, 1 purse, value 1*s.*; 5 sovereigns, and a 5*l.* Bank-note, the property of Robert Grimes Hurst, from his person.

ROBERT GRIMES HURST. I am in the service of Her Majesty's customs. Late on Friday night the 4th of April, or early on Saturday morning, I was in Bishopsgate-street, walking home—I was sober—I was accosted by two women who importuned me to go with them—they took hold of my arm, and after some difficulty I shook them off and got rid of them—I said I would have nothing to do with them—my purse was in my trowsers pocket—it contained a 5*l.* note, about five sovereigns, and four or five shillings—I lost it, but before I discovered it, the girls had gone away—I told a policeman—I then went home, and about five o'clock was called up, and saw the prisoner in custody—I cannot swear that she was one of the persons with me.

Cross-examined by MR. PAYNE. *Q.* Did one person put her arm round your waist? *A.* I believe she did, I cannot say—she took hold of my arm—I endeavoured to shake them off, and after a minute or two I got rid of them.

JOHN HASSELL (*City police-constable, No.* 392.) I was on duty in Bishopsgate-street at a quarter-past one o'clock at night—I saw the prisoner and another female standing in conversation about ten yards from the Vine inn—I came on and saw the prosecutor—they went to him and the prisoner took hold of him, the other walked on, and after they got some distance, the other took his arm, and they walked on out of sight.

Cross-examined. *Q.* This was past one o'clock? *A.* Yes—they were not together more than a minute—they crossed the street and took hold of him while he was passing by—I saw him again in about three quarters of an hour, and he told me he had been robbed.

GEORGE MILLARD. I am a policeman. I was on duty in Bishopsgate-street Within—I saw the prisoner, another woman, and the prosecutor—

ıey crossed the road, and the prosecutor turned into Clark's-place, and as e came out the prisoner took his arm.

MARTIN BOOTS (*police-constable H* 172.) About half-past one o'clock on ıe morning of the 4th of April, the prisoner came and asked me where she ɔuld get something to drink—I said I could not tell—I saw her go on, nd under several lamp-posts she appeared to be counting money out of one and into the other—I saw her again at the corner of Spital-square—she ranted to give me sixpence, which I would not take—I then met another fficer, went with him, and we took the prisoner in a house with some ıoney—she said, "You are all men alike, take and divide it"—she then aid, "I robbed a gentleman in Bishopsgate-street," and in going to the tation-house she said, "I robbed a *swell* in Bishopsgate-street, and you do ıot blame me"—she had three sovereigns and a half in one hand, and some ilver in the other—we cannot trace the note.

Cross-examined. Q. She was the worse for liquor? *A.* Yes.

FERDINAND M'KEE (*police-constable H* 4.) Boots came to my sta- ion and said a gentleman had been robbed—I accompanied him to the pri- oner's house—he took her—we had to use force in taking the money from ıer—from one hand I took three sovereigns and one half-sovereign, and rom the other three half-crowns and some silver—I found this purse next norning in a cupboard in the room where she lodged.

Cross-examined. Q. Did she say going along that she had the money rom a Quaker and a Methodist? *A.* She said at first she had it from Scotland, and afterwards she said from a Quaker and a Methodist—she was in liquor—I made search, but the purse was not there when we took ıer away.

ELIZABETH PLANT. My husband is a licensed victualler. The prisoner :alled about one o'clock, or a little after, on the night in question, and left ı sovereign for me to take a small debt that she owed—I did not know :xactly what it was—she said she would call in the morning and take the :hange.

ROBERT GRIMES HURST *re-examined.* This is like the purse I lost—it is similar, it appears rather longer than mine, but it is the same sort—mine was a mourning purse.

GUILTY.* Aged 32.—Transported for Ten Years.

1223. EVAN DAVIS was indicted for stealing, on the 8th of April, 1 pair of trowsers, value 1*s.* 6*d.*; and 1 comforter, value 6*d.*; the goods of Joseph Griffin; in a vessel in a port of entry and discharge.

THOMAS PARSONS. I am acting gate-keeper in the London Docks, which is a port of entry and discharge. I was at the gate on the 8th of April, and saw the prisoner going out—I had some suspicion—I stopped him, seeing him rather bulky about the body, and on searching him, he had this pair of trowsers and comforter—he was not at work at the Docks.

GEORGE DIX. I am an officer. The prisoner was given to me, with :he property—this is it.

JOSEPH GRIFFIN. I belong to a ship in the Docks. I left these :rowsers and comforter down in the forecastle—I do not know the prisoner.

Prisoner's Defence. I was going through the Docks to try to get a ship; I spoke to a man close to a vessel; I was very hungry, and had no friends; ıe told me to stay a little while, and he would bring me something to eat; ıe brought me these things, and told me to sell them.

GUILTY. Aged 30.—Confined Three Months.

1224. CHARLES ATTWOOD was indicted for stealing, on the 22nd of March, 1000 percussion-caps, value 10*s.*; 36 cartridges, value 5*s.*; and 1 bullet-mould, value 1*s.*; the goods of William Alexander Tinkler: and 7 bottles, value 1*s.* 6*d.*; and 7 quarts of wine, value 1*l.*; the goods of W illiam Tinkler, his master

EDWARD SYMES. I am a policeman. I was on duty on the 22nd of March at Knightsbridge—I met two young men, one had a box on his shoulder—I questioned them, and then opened the box, which contained these articles—in consequence of what they told me, I went to the house of Mr. Tinkler, the prisoner's master, in High-street, Putney, the same morning, between ten and eleven o'clock—the sergeant went in, and brought the prisoner out to me—we took him to the station-house—he said he was sorry for what he had done, he knew it was wrong; he had found a bunch of keys in an out-house, and one of them unlocked the place where the key of the wine-cellar was kept, and he took the wine; that the percussion-caps and cartridges belonged to his young master; he kept a quantity in one of the rooms, and he had taken these and the bullet-mould from him—he at that time knew we had found the property on the other two men—he also said he went to Mr. Wise, in High-street, Putney, to purchase a lock to put on this box, and seeing a number of locks there, he took the locks which were found, and then he did not know what to do with them, and had sent them off to London—I produce the property.

Cross-examined by MR. PAYNE. *Q.* Where did this take place? *A.* Partly on the road—I asked him what the meaning of this was, shortly after he came from his master's house—the sergeant was behind me—when the prisoner told me this, I told him he need not confess—I have seen him before passing through Knightsbridge.

HENRY CURLING. I am a gentleman's servant, and live at Putney. I know the prisoner by seeing him out with Petch—I have been out of place four months, and the prisoner offered me a trifle to come and carry the box to town—I could not get a *buss*—Petch and I went to Mr. Barton's, a shoemaker, where the prisoner pointed out the box—Petch and I were taking it to town, and the officer met us.

MAURICE MULCAHY. I am a police-sergeant. I went to the prosecutor's house, and saw Mr. Tinkler, senior—I stated to him what brought me there—he rang the bell, and had the prisoner called into the parlour—when he came I cautioned him against saying any thing but what he thought proper, as what he said would be given in evidence—Mr. Tinkler asked if he had taken these things—he made no answer—Mr. Tinkler said he was not well, and I should wait till his son came from church, to go up stairs with the prisoner to search his box—when his son came we went up and found the locks and keys, and three keys fell from the prisoner on the floor—I took them up, and told the prisoner he dropped them—he said, "No, they dropped from the bed"—I said, "No, they are warm," then he said he had dropped them, and he had found them in an out-house—I found they unlocked the store-cupboard, the wardrobe, and the cellaret; and then the mystery was how the wine could be got out of the cellar, as we had no key that unlocked that—while we were in the passage, Mr. Tinkler's son came out and said the mystery was solved, that the key of the wine-cellar was in the store-room—the prisoner then acknowledged that he took the wine, and we did not go down to see.

WILLIAM ALEXANDER TINKLER. Part of this property is mine, and

part is my father's—his name is William—I have heard what the officer has stated—that part of it which occurred in my presence is correct.

(The prisoner received a good character.)

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Six Months.

1225. LOUISA THOMPSON was indicted for stealing, on the 24th of March, 2 saddles, value 8*l.*; 8 girths, value 10*s.*; 1 cushion, value 15*s.*; 2 bridles, value 2*l.*; 4 stirrups, value 10*s.*; and 4 stirrup-irons, value 10*s.*; the goods of Edward Mitchell.

THOMAS JENNINGS. I am in the service of Edward Mitchell, who keeps his horses in Chester-mews, Pimlico. On the 24th of March, about half-past eight o'clock, Chaplin came and asked if I had locked my stable-door—I said yes—he said it was open then—I went and found the door of the stable half open—the saddle and other articles stated had been taken from the pegs where they had been, and were put into two bags at the stable-door—I had left them all safe about a quarter-past seven o'clock—these are my master's property—(*looking at them.*)

RICHARD CHAPLIN. I am potman at the Talbot inn. About half-past eight o'clock I saw the door of the stable open—I pushed against it, and said, "Who is there?"—the prisoner said, "I am glad you have come back; I have been waiting for you"—I asked if she had been waiting for me—she said, "Yes; you belong to this stable"—I said no, I did not, but I would take her to the person who did, and I took her to Jennings.

Cross-examined by MR. PAYNE. *Q.* Had you observed any person going away from there? *A.* Yes, I saw two men near the stable-door—one of them came towards me, and the other crossed the mews.

JAMES LIGHT. I am a policeman. I took the prisoner, and then went to the stable and found the property produced, in two black bags—I found five keys on the prisoner—one of them is a skeleton key.

NOT GUILTY.

1226. ELIZABETH REES was indicted for stealing, on the 14th of March, 2 half-crowns, 1 shilling, and 3 halfpence; the monies of John Perkins, from his person: and JOHN PEAT, for feloniously harbouring the said Elizabeth Rees, well knowing her to have committed the same felony; and that Peat had been before convicted of felony.

JOHN PERKINS. I live at Cock Foster, near East Barnet. I met the prisoner Rees at the Green Man tavern, at Barnet, and Peat was with her—it was on a Saturday night, about half-past eleven o'clock—I was sober—Rees asked me to give her some drink, which I did, and then she asked if I would go with her—I said I did not mind—we went to the footpath that leads over to Barnet—we left Peat in the house—I had then two half-crowns, two shillings, and three halfpence in my left-hand waistcoat-pocket—I gave Rees 1*s.*, and while I was with her I felt her hand feeling about my pocket, and immediately I missed my money—I took hold of her, and intended to give her to a policeman, but I could not see one—Peat then came up, rescued her from me, and knocked me down with his fist—he said, "You accuse her of the money"—he gave me a blow in the eye—he took her away, and went away—a policeman came up and took them.

JOSEPH ALLEN. I was with the prosecutor at Barnet—I saw the pri-

soners in the public-house—Rees and the prosecutor then went out, and after that I met the prosecutor, who said he had been robbed.

Peat. *Q.* Did you not drink with me? *A.* Yes—I did not come out with you—I was not drunk, nor was the prosecutor.

ALFRED DRAGE. I am a policeman. On the night of the 14th of March, the prosecutor came and said he had been robbed of 6*s.* 1½*d.* in the lane—I went to a house kept by one Townsend, and demanded admission—they refused to let me in—I went again and entered the house—I found the two prisoners in bed together in a room that Peat rents—the prosecutor gave them in charge for robbing him—he was quite sober when he came to me.

Rees's Defence. The prosecutor had been to the Mitre and raffled for a fish—he lost his money and then said he had been robbed; a policeman took me, and could not find the money on me; the prosecutor would not give me in charge; I then went home, and at three o'clock in the morning the officer took me.

Peat's Defence. Another man took us first, and the prosecutor said, "I will have nothing to do with it, she has not got my money"—I came out of the house with Allen, and the prosecutor struck me—he was drunk, and so was Allen.

GEORGE MURDELL (*City police-constable* 484.) I produce a certificate of Peat's former conviction, which I got at Mr. Clark's office—(*read*)—he is the man that was convicted.

REES—GUILTY. Aged 22. Transported for Ten Years.
PEAT—GUILTY. Aged 27. Transported for Fourteen Years.

OLD COURT.—*Monday, April 12th,* 1840.

Third Jury, before Mr. Sergeant Arabin.

1227. GEORGE DYER was indicted for obtaining goods by false pretences, to which he pleaded

GUILTY. Aged 18.—Transported for Seven Years.—Convict Ship.

1228. THOMAS GEORGE JOHN NIGHTINGALE was indicted for obtaining 5 sovereigns from Thomas Chambers under false pretences, to which he pleaded

GUILTY. Aged 14.—Transported for Seven Years.—Isle of Wight.

1229. CHARLES GEORGE BRIDGEMAN and MARY COLEMAN were indicted for stealing, on the 28th of March, 2 pairs of boots, value 9*s.*; and 1 pair of shoes, value 2*s.* 6*d.*; the goods of David Williams, the master of Bridgeman.

DAVID WILLIAMS. I keep a shoe shop in Albion-place, King's-cross. Bridgeman was my shopman twenty-four days—he did not live in the house—he gave his address, at No. 2, Staples Inn, but I found he did not live there—in consequence of suspicion I set Bell, with a policeman, to watch my shop, as I had lost property to the amount of 50*l.* or 60*l.*—on the 28th at a quarter to five o'clock I went to tea—the boots were then safe—one pair hanging at the door, another pair in the shoe-room at the back, and another pair in the window—I was called up stairs in about two minutes, and the female prisoner was taken to the station-house with the

boots in her possession—her face is familiar to me, but I could not be certain that I ever saw her in my shop—the articles produced are mine I am certain.

WILLIAM BELL. I am apprentice to Mr. Crick, of King's-cross. The prosecutor requested me to watch—I stood in front of his shop, and saw Bridgeman come out and rub the window, which I supposed to be a signal for somebody to come—immediately afterwards Coleman came up with a basket and went in—in about five minutes she came out with a basket apparently larger than when she went in—I gave a signal to the policeman to follow me—I followed her to No. 3, Chad's-place, Gray's Inn-lane—I pointed the house out to the policeman—he broke the door open, went in and found the property in her basket, and she was taken to the station.

Coleman. I was not in the shop—I bought the shoes of a man in the street. *Witness.* When we went into the station-house with the male prisoner, the female was there, and he said, "This is the woman I gave the shoes to, to try on."

DAVID WILLIAMS *re-examined.* I heard Bridgeman say this at the station-house.

JAMES DAVIS. I am a policeman. I was watching the prosecutor's house—Bell pointed out the house in Chad's-place, where I took the female prisoner—I found the new shoes in her basket, and a pair that have been worn in her room—I followed her myself to the house.

ANN TRING. I live in No. 3, Chad's-place, Gray's Inn lane. The prisoner's lodged at my house and cohabited together as man and wife from the day that the man went to Mr. Williams's situation.

Bridgeman's Defence. The prosecutor discharged another shopman for dishonesty; he might have taken the 50*l.* worth of things.

DAVID WILLIAMS *re-examined.* I did not discharge any one for dishonesty—I have lost 60*l.* worth of goods in twenty one days.

BRIDGEMAN—GUILTY.* Aged 24.—Transported for Fourteen Years.

COLEMAN—GUILTY. Aged 20.—Confined Six Months.

(There was another indictment against Bridgeman.)

Before Mr. Baron Alderson.

1230. JOSEPH PROCTOR was indicted for feloniously offering, uttering, disposing of, and putting off, on the 25th of January, a false and forged receipt and acquittance, for the sum of 4*l.* 10*s.*, with intent to defraud Sir William Boothby, Bart., knowing the same to be forged.—Other COUNTS, varying the manner of stating the charge.

MESSRS. ADOLPHUS *and* CHAMBERS *conducted the Prosecution.*

JOHN FRANCIS BRICKNELL CABBURN. I am a wine and spirit-merchant, at King's-cross. On the 14th of October I paid duty at the Custom-house, on a cask of brandy, as upon fifty-four gallons, at 1*l.* 1*s.* 6*d.* a gallon—when I received the cask I found it contained fifty gallons only—I made application to the Custom-house to get back the overpaid duty, which was 4*l.* 10*s.*—the prisoner, who I knew was a sort of wine and spirit-agent, offered to assist me in getting it back—I saw him about a week after the cask came home—he came to my warehouse, and said, "In consequence of the mistake, you must get this duty back again"—he volunteered to get it back—he called several times afterwards, and I often asked him why I had not got the duty—he said it was a great trouble, and he could not get it—

in consequence of his not calling upon me for some time, I went, in March this year, to a public-house he frequented, and saw him—I inquired if he had got the duty, or if he had forwarded the papers—he observed that he had been, but that it was refused, on account that if persons would not avail themselves of the opportunity of having their goods re-gauged, they must put up with the loss of it, for the Customs would not allow it—I afterwards went to the Custom-house, and saw Mr. Cole on the subject—I was taken into the inner-office, and was shown this paper by Watson, one of the clerks—I have no minute of what day it was—it was in March—this paper purports to be signed by me, but it is not my signature—I never saw this paper before it was shewn me at the Custom-house—I have never received the over-paid money back, nor any part of it.

Cross-examined by MR. THOMAS. *Q.* Tell me, as near as you can, when you went to Mr. Cole? *A.* I really cannot speak positively—it was the latter end of March—the prisoner had not told me before that, that he had received the 4*l.* 10*s.*—I had not the least idea of his having received any money whatever—I had employed him before this—I cannot tell when I first employed him—I never employed him to get money for me—I did not employ him to get this money, but to pass the papers which I gave him—I did not say that I asked him if he had got the money—I asked if he had passed the papers—I was given to understand by him that nobody could receive the money but myself, but it would require my papers to be passed before I could receive it—I will swear that I never asked him if he had obtained the duty for me—I never authorized him to receive the money, only to pass the papers—(*looking at a paper*)—this signature is my hand-writing—since proceedings have been taken against him I have received a letter to acknowledge that he held the 4*l.* 10*s.* of mine—that was after he denied having received it—this is the letter—(*producing it*)—it is dated the 9th of March—this letter (*looking at another*) is my writing, but it is not an answer to that letter—this is dated March 11th—it is an anonymous letter which I wrote to him—he then sent me this letter, dated March 16th, in answer to which I wrote this, dated the 18th—I then received this letter, dated the 19th, from him—in answer to that I sent this one, dated the 20th—I received this on the 21st—I went to Mr. Cole before any part of the correspondence—the correspondence has all taken place since.

COURT. *Q.* Why say you went to Mr. Cole at the end of March, if the correspondence begins on the 9th of March? *A.* I am not prepared with dates—it is about a month ago—I think this letter was after I had been to Mr. Cole, after I had seen the paper—this is the anonymous letter I sent to him on the 11th of March.

MR. THOMAS. *Q.* Will you swear it was before the 11th of March that you went to Mr. Cole? *A.* Oh yes—I cannot speak to the day—I went to Mr. Cole before I had any correspondence with the prisoner—the last time time I went to Mr. Cole must have been before the 9th of March.

Q. Had you employed any body else to try to get the money for you? *A.* A Mr. Howard, a person who cleared the brandy, promised me to pass the papers, to get back the duty—I do not think he did it at all, he only said he would do it—he is the person who took me to Mr. Cole—I never bought any thing of the prisoner—I paid 28*l.* 10*s.* to Dillon and M'Donald within a month from this time—that was after this correspondence—the fact is, the prisoner charged me with three-quarter casks of

wine, to make out a bill against me, and thinking my name was mixed up with two most respectable merchants, rather than my name should appear shuffling, I went to the gentlemen, and told them, as my name was mentioned as buying the wine of them, I would take the casks, though I never ordered them, and I paid the money to Dillon and M'Donald—it was for wine purchased in my name by the prisoner—I paid it in consequence of seeing a letter from the prisoner, in which their names were mentioned—I have had the article.

COURT. *Q.* You permit them to deliver it to you in consequence of a contract made by the prisoner? *A.* Yes—I had not received the wine before I went and paid them the money—I had never bought any wine of him.

MR. THOMAS. *Q.* I suppose you were very angry that he should fix a bargain on you which you had never made? *A.* It was not pleasant—he offered in this letter to set off the 4*l.* 10*s.* which he had received against the wine.

MR. CHAMBERS. *Q.* Why did you pay for the three-quarter casks of wine? *A.* Because I had had transactions with Dillon and M'Donald before, and rather than have my name mixed up and forfeited, I took them of those gentlemen—the prisoner said he had them bought on my account, but I knew nothing of it—he is a wine-agent, not a wine-merchant—I have employed him before to pass papers, in order that the duty might be got back—I never received back any overpaid duty before—I never authorised him to sign my name to any papers.

FRANCIS WATSON. I am clerk of the certificates in the Long Room of the Custom House—I have the custody and delivery of the over-entry certificates. On the 25th of January a person applied to me in the name of Cabburn for an over-entry certificate—it was not the prosecutor—I told him I would give it on his producing the particulars, which are, the name of the ship, the voyage, when the duty was paid, and the amount required to be returned—without that I could not give the necessary paper—the party who got the papers from me did produce those particulars, and represented himself as Cabburn, the proprietor of the lot—I delivered the certificate to him—I made it out myself, and entered it in my book—this is the certificate I entered on that occasion—(*looking at it.*)

COURT. *Q.* How is it ascertained that these things are true? *A.* They have been ascertained by the proper officers where the transaction originates—this is merely a check, to see if they are the right people who apply.

MR. ADOLPHUS. *Q.* Who makes out this paper? *A.* That paper originates with Mr. Cole and the parties at the Dock—Mr. Cole has signed it—at the time it was made out the names of Cabburn and Proctor were not to it—it is to be made out by the parties interested—I certainly should not have delivered the certificate even on a written authority from Cabburn.

Cross-examined. *Q.* I suppose this is left with you when the party comes and gets the money? *A.* Yes—having delivered it, I have nothing further to do with it—the party would sign his name on the receipt of the money, but he would not receive it unless he was the party, or some person with him knew him—the prisoner was not known to me—I have heard that he does business as an agent in the Long-room, I do not know it of my own knowledge—I do not know Mr. Howard—I do not see any one here who I can swear to be the person who came on that day—I believe it was not the prisoner.

TIMOTHY LEE. I am a clerk in the Receiver-general's office in the Custom-house. I know the prisoner perfectly well—I recollect seeing him on the 25th of January in the Receiver-general's office—there was a person with him, who I do not know—it was not the prosecutor, I am quite sure—the prisoner presented this certificate to me—it was signed, "J. B. Cabburn"—all the parties named in the document, except Cabburn, are public officers—I asked the prisoner whether the person with him was the party named in this document—he said, "This is Mr. Cabburn," turning round—I then required the prisoner to put his name to it—Mr. Cabburn's name was already to it, and the prisoner put his name under it, in my presence—in consequence of that, I kept the certificate, and delivered a ticket for the 4*l.* 10*s.* to the prisoner—that ticket would authorise the prisoner to receive the money—the office requires the party himself to attend, unless he gives authority to any agent or party known at the office, but previous to doing that, his name must be registered at the office, and also the party authorised, and the document itself must be signed by the party—it does not authorise any agent to give a receipt.

Cross-examined. *Q.* I presume it is your duty to ask questions of persons who come to the office on these sort of transactions? *A.* Certainly—I have a perfect recollection of this particular case—sometimes the document is perfect when it comes, at other times it is signed in my presence—I generally give the ticket to the party nearest to me—the prisoner was nearest to me—the other person was rather at the extremity—I have known the prisoner as paying money into the treasury, not as an agent, but as a principal—I have known him pay money on his own account.

CORNELIUS LEE. I am employed in the office of the Receiver-general of Customs. In June last I paid 4*l.* 10*s.* on a ticket produced to me—the ticket was drawn by the last witness, in the name of J. B. Cabburn—it was presented to me by two persons—I have no recollection who they were—the prosecutor is not one of them, I am certain.

(*The certificate, with the order for the payment of the* 4*l.* 10*s., was here read.*)

MR. THOMAS called

JOHN BOSHELL. I live in Waterloo-place, Newington, Surrey. I went to the Custom-house with the prisoner—I do not remember seeing him get a ticket—I do not recollect the day—he had a paper in his hand, I remember—I did not see Mr. Lee there, that I know of—there was a gentleman whom the prisoner spoke to.

TIMOTHY LEE *re-examined.* I do not recollect this witness.

CORNELIUS LEE *re-examined.* Nor do I recollect him.

FRANCIS WATSON *re-examined.* I cannot swear to that being the man who came—I should rather say he is not the man who came.

JOHN BOSHELL *continued.* I never saw this paper before (*the certificate and receipt*)—the prisoner had a paper, but not similar to this—it was much smaller—it was certainly not this—I think I saw him go into the office of the Customs, and speak to somebody there, but I would not swear it.

Q. What do you know of the circumstance? *A.* I went into the Long-room there was the prisoner—he asked me to walk up with him, and I went immediately over to the shipping-list, which is quite across the room—I did not hear a word asked about Cabburn.

COURT. *Q.* You did not know that you were represented to be Cabburn? *A.* Certainly not.

Mr. Thomas. *Q.* Should you have heard if such a question had been asked? *A.* No, I should not, I was at such a distance—I did not hear any remark whatever.

John Collier. I was at the Angel tavern, John-street, Minories, with the prisoner, when Mr. Cabburn came in—it was between twelve and one o'clock—I cannot recollect the day of the month—I should say it must be about a month or five weeks ago—I knew Mr. Cabburn perfectly well, and he knew me—he asked the prisoner if he had received some money from the Customs—the prisoner said, "Yes, I have placed it to your account; I will make out your account in a day or two, and be with you"—I do not recollect whether Mr. Cabburn shook hands with the prisoner when he left—he seemed quite friendly, from what I saw.

Mr. Adolphus. *Q.* What are you? *A.* A licensed victualler—I am out of business at present, and have been so about three months—I was out of business when this interview took place—I went to the ale-house to meet the prisoner by appointment—I was going to the Docks with him—Cabburn was there—no paper was produced to me—this was about five weeks ago, it might be six—it was in the early part of March, I should say—I do not recollect the day—Mr. Cabburn was in the parlour when I entered—he asked me where Mr. Proctor was—I said, "I expect him here every moment"—nothing was said about papers at all—no sum was mentioned.

John Monkton. I am the prisoner's solicitor. Last Saturday week I had an arrangement with Mr. Cabburn on behalf of the prisoner—he paid me 30*s.*, and returned me the five shares I now hold in my hand, which he held as security on behalf of the prisoner.

Mr. Chambers. *Q.* At the time the arrangement was made had this charge been brought forward against the prisoner? *A.* Certainly it had—I did not consider there was any impropriety in my making this settlement, as he said there was money due to him, and Mr. Cabburn did not deny it—there was an account between them—I have not got it with me, as I had no idea that I should be put into the box—I knew it was part of his defence that there was an account between them—the shares are in the North American and West Indian Asphaltum Company.

Mr. Cabburn *re-examined.* The signature to this document is my hand-writing, but no other part of it.

(*The following documents, alluded to in the prosecutor's evidence, were read:*) "4th January, Wine and spirit department. To the principal officer of Customs, London Docks. Sir,—Please to allow the over entry certificate, duty overpaid, 4*l.* 10*s.* Elizabeth Bally," &c.; signed "J. F. B. Cabburn." Directed to Proctor; and underneath was written, "Pay the balance to bearer."—A letter, dated the 9th of March, 1840, from Proctor to Cabburn, expressing his surprise that he should be charged with forgery, and adding, "The over-entry of 4*l.* 10*s.*, I received a short time back by your authority, which I hold of yours: after such an accusation as this I shall insist on your coming to a settlement with me for the wines you bought of me on the 18th of September, 1839;" and setting out the account between them.—The anonymous letter, dated the 11th of March, 1840, informing Proctor that a warrant was issued for his apprehension at the instance of the Customs.—A note from Proctor, dated the 16th of March, requesting Cabburn to call for the warrants for the three-quarter casks of wine at Dillon and M'Donald's; and a reply from Cabburn, dated the 18th of March, stating, that though he had never purchased the

wine, he was willing to take it.—An account, dated the 19th of March, addressed to Cabburn, charging for the wine, commission, and other things, giving credit for the 4*l.* 10*s.*, and making a balance of 25*l.* 15*s.* due to Proctor. —A note from Proctor to Cabburn, stating that he had authorised Dillon and M'Donald to deliver the wine, upon his paying them 28*l.* 10*s.*

MR. CABBURN *re-examined.* (*Looking at the document, dated the 4th of January.*)—There appears more writing on this than when I signed it, and there is writing at the back—having confidence in Mr. Proctor, from previous dealings, I did not read it—he brought one which I thought was an authority to pass papers; I signed it, and said to him, "That is to sign papers only"—he said, "Yes; no man can get the money but yourself:" and I then did not read it.

(The prisoner received a good character.)

GUILTY. Aged 48.—*Recommended to mercy by the Jury on account of his good character.*—Confined Two Years.

1231. HENRY MILLER was indicted for burglariously breaking and entering the dwelling-house of James Liddon, about the hour of twelve in the night of the 30th of March, at St. Mary Magdalen, with intent to steal, and stealing therein, 4 gowns, value 4*l.*; 1 shawl, value 15*s.*; 2 frocks, value 10*s.*; 1 apron, value 1*s.*; 3 decanters, value 5*s.*; 1 decanter-stand, value 5*s.*; 2 candlesticks, value 12*s.*; 3 tumblers, value 3*s*; 2 salt-cellars, value 2*s.* 6*d.*; 1 printed book, value 8*s.*; 6 knives, value 3*s.* 6*d.*; and 6 forks, value 1*s.* 6*d.*; the goods of Charles James Berry; and HENRY ASHER for feloniously receiving 3 decanters, 1 decanter-stand, 2 candlesticks, 3 tumblers, and 3 salt-cellars, part of the said goods, well knowing them to have been stolen; against the Statute, &c.

ANN BERRY. I am the wife of Charles James Berry, a tailor, in Sermon-lane, Doctors' Commons, in the parish of St. Mary Magdalen. Miller was formerly in our employ for eight or nine months, and left about a twelvemonth ago—on Monday night, the 30th of March, I went to bed about half-past eleven o'clock—I was the last person up—the windows and doors were all safe—I got up at half-past seven o'clock in the morning, and found the parlour-window open—the shutters had not been shut—we never shut them—it is in a back yard—the window had been shut down quite tight at night, but any body could lift it up—there is no fastening to it—there are gates to the back yard, which are shut at night, and bolted inside—the porter is the first person to open them—I found them open in the morning—they were bolted the night before—I missed the articles stated in the indictment from the parlour—they were all safe the night before—they were worth more than 10*l.* to me—I should not think they would sell for that—they would fetch more than 5*l.*—one of the silk dresses was worth 4*l.*—I can safely say they were worth more than 5*l.*—on the Thursday following I saw the lustre, cruet-stand, and glasses at the prisoner Asher's house, in Petticoat-lane—I found the Bible in Kingsland-road, the knives and forks at another place, and the tumblers and salts were found next day in Asher's house—he is a Jew, and deals in glass.

MARTIN COPPARD. I am the porter. I found the gate open at twenty minutes to five o'clock, when I went to it—I did not notice Berry's window till about half an hour afterwards—I then found it open—I had been about my work during that time in the upper part of the house.

GEORGE CARSON (*City police-constable, No.* 183.) On Thursday, the

2nd of April, I was on duty in Doctors' Commons—the prisoner Miller came up to me in Great Knight Ryder-street, and asked if I had heard any thing of the robbery in Sermon-lane on Monday evening—I told him I had heard of it on Tuesday morning—he told me he was the man who did it—I looked hard at him, and asked why he should say that he did it, and what his name was—he said his name was Henry Miller—I said that was the name the people of the house said they suspected—I asked how he got in, because the back of the premises come into Sermon-lane—he said he went through the back-door, which was never shut till ten o'clock at night, went through the passage, through a small kitchen into the back-yard, and concealed himself in a dust-hole till past twelve o'clock at night: then got out of the dust-hole, lifted up the parlour-window, went in, and took the property, and that he left the place about five o'clock in the morning.

GEORGE EDIS EVANS. I am a City police-sergeant. I saw Miller at the station-house—I searched him, and asked if he had any duplicates—he said it was useless to look for duplicates, for he had sold the property in Petticoat-lane; that he had sold the dresses to two different people, opposite the dead wall in Petticoat-lane, for 23*s*.. and the glass to a different person—I found by his direction some glasses at No. 1, Raven-row, Spitalfields—these are them—the lustres, decanter, and frame, were found on the Thursday afternoon by his direction at Asher's—there was a woman in the shop when I first went to Asher's—Asher stated that he bought them in a lot of a man on Tuesday morning, for 8*s*.—the three tumblers and salt-cellars he said he had sold, but would get them back on Friday, and I went to him, and he had them ready for me—they were included in what he said he had bought of the man in a lot.

Cross-examined by MR. CLARKSON. *Q.* You did not find out that he had made one misrepresentation from first to last? *A.* Not the least—the liquor-stand was cleaned when I saw it—the copper is all through it—the tumblers are heavy, I believe part of them are cut—I believe the decanters are cut—I saw Asher's wife when I first went—she at once said such things had been bought, and sent for her husband—he gave me an account of them without hesitation—he was taken to the station-house, and bound over in 20*l*. to appear on Monday—he did appear—I have known him living there for three or four years.

THOMAS EALEY. I am a pawnbroker. I have a Bible which was pawned by Miller, on the 1st of April.

JOHN SCHAFFER. I am a pawnbroker. I have six knives and forks pawned by Miller on the 1st of April.

ANN BERRY *re-examined.* I know all this property found at Asher's is mine—I do not know how much it is worth—we rent the house—James Liddon is the landlord, and occupies part of it with his business, but he does not live in it—he is there every day—his part is separated from the rest—he has the upper part, and we the lower part, but all his men go through our premises—there is no separation between the two—we pay him rent, and he pays the rates.

MILLER*—GUILTY. Aged 29.—Transported for Ten Years.

ASHER—NOT GUILTY.

1232. WILLIAM PENNY and ALFRED PENNY were indicted for breaking and entering the dwelling-house of Timothy Adams Jordan, on

the 1st of April, and stealing therein, 1 work-box, value 5*s.*; 2 rings, value 2*l.*; 3 brooches, value 1*l.*; 1 eye-glass, value 5*s.*; 1 neck-chain, value 15*s.*; 1 scent-bottle, value 8*s.*; 1 thimble, value 1*s.* 6*d.*; and 1 penknife, value 1*s.*; the goods of Susannah Jordan.

SARAH JORDAN. I am the wife of Timothy Adams Jordan, a smith, in Cumming-street, in the parish of St. Leonard, Shoreditch. On the 1st of April, about half-past six o'clock, my husband's mother went out, leaving her work-box on a large table under the window—it contained the articles stated—I went to fasten the shutter between a quarter and half-past seven o'clock, and missed the work-box—the window was down at half-past six o'clock, and the shutters shut, but about half-past seven, I found the window and shutter a little way open.

SARAH HICKS. I live in Bunhill-row. On Thursday, the 2nd of April, the prisoner Alfred came to my house, about two o'clock in the afternoon—he opened a little hand-basket, showed me a work-box, and said his father had sent him to ask if I wanted to buy such a thing—I said "No"—it was a rose-wood box—I should know it again—he also showed me two mourning rings, two brooches, an eye-glass, chain, and smelling bottle—I gave them back to him, and told him I did not want them—next day Mr. Jordan made his loss known to me, and I mentioned this.

ELEANOR JONES. I am the wife of John Jones. On the 2nd of April the prisoner William came to our house with a small rosewood work-box, lined with blue satin, and asked if I wished to purchase one—it contained two mourning-rings, two brooches, a silver eye-glass, and a smelling-bottle—one brooch was a cornelian, and the other had a white figure on it—I did not buy it, and he took it away.

JAMES BLAKE. I am a policeman. The box has never been found—on Friday, the 3rd of April, I was at the station-house, when a man fetched me, and I took the prisoners up.

SUSANNAH JORDAN. Mine was a little rosewood box, with turned handles, lined with blue satin; it contained two mourning-rings, and three brooches, but one was broken; the other two were cornelian—the other had a white figure in it, there was also silver eye-glass, a silver chain, a scent-bottle, a thimble, and other small articles. NOT GUILTY.

Fourth Jury, before Mr. Recorder.

1233. MARY BURROWS was indicted for unlawfully, maliciously, and feloniously cutting and wounding Mary Ann Pearson, with intent to do her some grievous bodily harm.

MARY ANN PEARSON. I am single, and live at No. 116, Gravel-lane. On the night of the 8th of April I was in the King William public-house, New Gravel-lane, a little after ten o'clock—the prisoner came in—I was seated alongside a young man whom the prisoner had been with for a few nights—I was in liquor—I do not know the young man's name further than Henry—he called for a quartern of rum—the prisoner came up to the table where I was sitting, and called me a b—— rotten cow—she went down the room, I followed her, and pulled her nose for it—she immediately went out, went home, took off a silk gown, which she had on, put on a cotton one, and returned in ten minutes—she came to me as I stood in the middle of the room, knocked me down, pulled my cap off, and pulled my hair—one of the waiters seeing that, turned her out—she

went and stood at the street-door—in about ten minutes after, a young woman named Perkins came in to tell us supper was ready—I was going home to supper, and the witness Thomas was holding her arm round my waist, taking me to the street-door, as I was a little intoxicated—the prisoner was at the door—I did not hear her say any thing to me, but as I was getting off the first step, she had the key of the street-door in her hand, and struck me a violent blow across the nose, which broke my nose—before I had time to speak to her, she struck me another blow in the mouth—I fell down on my back, Thomas picked me up, and seeing me bleed so fast, she said, "*Liverpool Poll*, you have a key in your hand; you shall not strike her with a key"—two of my teeth are splintered, and some loose, I bled, and my lip was cut.

Cross-examined by MR. HORRY. *Q.* You and Thomas have been talking of this since? *A.* No further than we have been here together—we live opposite one another—I have seen her every day—she has not told me what she said before the Magistrate—she has told me, but I had no occasion to notice what she said, because I have only to speak the truth—she told me she had said that the prisoner came back in ten minutes—I knew she led me to the door—she told me no more than I knew—I have seen the man I was drinking with several times with the prisoner, but did not knew his surname—I was sitting in the long room—there were a great many people there, but not so many as there are sometimes—the room will hold sixty or seventy—I had been there from eight till ten o'clock—the prisoner came in afterwards, and went into the third box down the room, after speaking to me—she came across the room when she first came in—I was sitting opposite the door—she did not stop in the room many minutes—I have always said that she knocked me down first—I do not exactly remember whether she said any thing when I pulled her nose, but she went out, and shifted her clothes—I said nothing to her when she came back—she said to me, "Now come out, you b—— w——, I will have it out of you now"—I do not recollect whether any body said to her, "Go and change your gown"—this is the deposition which I made my mark to—(*looking at it*)—it was read over to me—(*The witness's deposition being read, represented the prisoner to have pulled her down before she left the room, and that it was half an hour before she returned, and upon getting to the door she said something which the witness did not hear*)—I do not remember her saying any thing at the door—she struck me three blows, the first on the nose, one on the side of my face, and one on my lip—she went out first the second time she came in—she did not come in a third time—she was turned out directly by the waiter—I went out ten minutes or a quarter of afterwards—it was not more, I think it was not less than five minutes—I did an hour not go out at the same moment with her—I know Toomey—she was not present when the blow was struck with the key, nor yet till the key was taken out of the prisoner's hand—my bonnet was off—she was standing on the first step of the door, and struck me as I was coming out—she had the key in her hand—Thomas was with me all this time—she knocked me down, struck me twice with her fist, and then a third time; and was going to strike me again, when the key was taken out of her hand—she then made the best of her way home—I went next day to get a warrant, but the Magistrate told me to go to the station-house, and get a policeman—I went to the station-house by the Magistrate's order, got the inspector to let an officer go with me, and he found the prisoner getting over the wall.

SUSAN THOMAS. I live in New Gravel-lane. On the 8th of April I was in company with the prosecutrix at the King William public-house—she sat by the side of a sailor who had been stopping with the prisoner some nights—I had seen him frequently with her—he treated the prosecutrix to some rum—the prisoner seeing that called her names not fit to mention—the prosecutrix got up in a few minutes, and went and wrung her nose as hard as she could—I tried to prevent her doing it, and fetched her up the room, away from the prisoner—the prisoner went out in about ten minutes, and returned in about ten minutes with a cotton gown on, having had a black silk one on before—the prosecutrix and I were coming up the room, and the prisoner struck her, knocked her down, and told her to come out and fight—I said she should not, for she was too drunk to fight—one of the waiters then came, and put the prisoner out—in about ten minutes Perkins came and told me supper was ready—I said, "Very well, help me lead the prosecutrix out," which she did, and before we could get her off the second step of the door, the prisoner struck her with the key of the door, and never spoke to her—she was outside—she struck her on the nose the first blow—altogether she struck her two or three times—she never spoke at all—she struck her on the lip the second time, and I said, "Why, Mary, you have a key in your hand"—I either called her Mary or *Pell*—I wrenched the key out of her hand—this is the key—(*looking at it*)—she struck her with the ward part—I have every reason to believe she was waiting outside the door for her—she had been out of the house about ten minutes—the prosecutrix's face bled very fast indeed.

Cross-examined. *Q.* You have had some conversation with the prosecutrix since? *A.* Yes—I have not told her what I said before the Magistrate, not to my recollection—I was in the room all the time—the prosecutrix went in with me about eight o'clock—the prisoner came in between ten and eleven o'clock—I believe the first words began a little before eleven o'clock—the prisoner called her a b—— cow, not a *rotten* cow, in my hearing—I sat close alongside of her—the prisoner was not going out of the room, and the prosecutrix following her—she did not say, when she returned in her cotton frock, that she was ready to fight her then—she stood with her back against a fruit-basket, struck her, and knocked her down—I took her up—I said nothing to the prisoner—I did not hear Pearson say, "There is no law for pulling noses or kicking * * * I was in company with Pearson from first to last—I might have left her a minute—she and the prisoner were not going out to fight—Pearson did not try to hit her after they got out of the house—the first of the scuffle was the prisoner's trying to hit her with the key—Pearson laid hold of the sleeves of her gown, that is all—the prisoner did not say in my hearing, "I don't wis to fight with keys"—when Pearson got up she was bleeding from the face—she was struck down by Mr. Talbot's window—she fell in the kennel, about the middle of that window—there is no step where she fell—she was knocked down by a blow in the face from the prisoner—she did not fall on the curb-stone, she fell in the gutter, close to the curb—she did not say, "I will make your *browns* come out"—they did not both fall together into the kennel—the prisoner dragged her to the second house, and then knocked her down in Talbot-passage, and was repeating the blows till she was taken off by me and Perkins—I did not tell Pearson she was bleeding—I said to Perkins, "Look how her face is bleeding"—I did not hear Pearson say, "Never mind a little blood, it will not hurt me," but I

could not notice all the words, I was in a flurry—Pearson tore the sleeves of the prisoner's gown as she laid hold of them, when she fell, to prevent her falling, and both her sleeves came out—the prisoner fell on her.

HANNAH PERKINS. I live with the last witness. I went to the King William public-house between eleven and twelve o'clock, to tell her that supper was ready—I assisted Pearson out of the house—I did not observe the prisoner till she struck Pearson, which she did with a key, and repeated the blow—Thomas got the key from her afterwards—Pearson fell on her back afterwards with the blows the prisoner gave her—the prisoner was still beating her when I and Thomas went and took her from her.

Cross-examined. *Q.* The prisoner struck the blow without saying any thing? *A.* She did—it was a violent blow—Thomas took the key after the blow had been repeated twice, as far as I recollect—the prisoner then caught hold of Pearson's hair, dragged her into the second house, knocked her down in the passage, and beat her—I took her from her, and said, "*Liverpool Poll*, don't hit her down"—I did not see the prisoner when I went into the public-house, not till I came out with the prosecutrix—I did not see her as I went in at the door—there was a scuffling going down to Talbot's house—they had no fight, Pearson was too much in liquor to strike at all—she did not lift her hand to the prisoner—Pearson fell twice, the first time was in the road, on her back, and the next time in the passage of the house—she did not fall on the curb-stone—I did not hear her say, "Never mind a little blood, it won't hurt me"—I certainly should have heard it if she had said so—I will swear she did not say so—I did not hear it mentioned.

GEORGE HALE (*police-constable K* 54.) I apprehended the prisoner on the 9th—she said it was not done with a key—there were a great many girls there at the time, and they said, "Oh, you did not do it, she did it in falling"—I said, "I think it was not done in falling"—she said, "Yes, it was," that the prosecutrix was very drunk, and did it herself in falling.

Cross-examined. *Q.* Did you find the prisoner immediately you went after her? *A.* No, I did not, because they go from one house to another so—I took her in one of the houses, not the house she lived in.

JOHN WILLIAM BIRD. I am a surgeon, and live in Ratcliff-highway. The prosecutrix was brought to me on the night of Wednesday, the 8th, to have her face dressed—her nose was cut across, at least it was divided—the bridge was broken, and her lip divided in two places—they were contused wounds, not such as a person would receive by a fall in the street—there are three distinct wounds—the one across the nose is a transverse one, the other longitudinal, and the other oblique—the cut on the upper lip was oblique and flat over, so that the force must have been applied upwards, and there is an excoriation on the nose upwards, which could not occur in a fall—it was certainly not done by falling on the ground—this key would produce such appearances—it must have been applied with considerable violence—the wounds correspond with the key, and the key is stained with blood now.

Cross-examined. *Q.* If a person fell against the curb-stone, might not that cut the lip, and break the teeth? *A.* Not in that way—such a thing is possible, but the wounds were all in different directions—I was not told what had been the matter when she was brought to me—she and the two young women came, and they were all enraged of course.

Witnesses for the Defence.

WILLIAM MARSHALL. I am a baker, and live in New Gravel-lane—Mr. Talbot is my master. On the 8th of April, between ten and eleven o'clock, I saw the prisoner and prosecutrix come out of the King William public-house—I was standing at my shop-door, which is next to it—they both came out—the prosecutrix first—the prisoner followed her—the prosecutrix fell down on the curb without any body touching her—she came running up against the prisoner—there were three or four persons coming out—the prosecutrix ran up to the prisoner to make a blow at her, and fell down on the curb—I saw Thomas lift her up.

COURT. *Q.* Did the prosecutrix come out of the house quietly by herself, or was she lifted along? *A.* She walked out alone—nobody helping her on one side or the other—I was first asked to be a witness to-day—I do not know who applied to me—I was at work, and one of the witnesses came up for me—I do not know her name—I do not know any of their names.

MARY ANN TOOMEY. I am single, and live in New Gravel-lane. Last Wednesday night, between ten and eleven o'clock, I was in the long room at the King William public-house—I use the house as an unfortunate girl—the prosecutrix was there—the prisoner came in afterwards, came down the room, and spoke to me and another woman—she was standing speaking to me, and the prosecutrix came down and said "B— *Cumberland Poll*, there is no law for pinching noses or kicking" * * *, and pulled her nose—that was before any thing was said to her—the prisoner said nothing to her—the waiter came up and said he would not have a *row* there, and the prisoner went outside the door—the prosecutrix followed her out, and going out, pulled her cap and beads off, gave them to Thomas, and as she got out at the door, she said, "You b— *Cumberland Poll*, now I will give you what you have wanted for a long time," with that she was going to hit the prisoner, and Thomas said, "Don't strike, she has got a key in her hand"—the prisoner said, "I don't want to hit with the key, you can take the key," and gave it to her out of her bosom—she then struck her, and both fell down on the curb—they were both the worse for liquor—Thomas said, "Your face is bloody"—she said, "Never mind a little blood, it will do me no harm"—they fell to fighting again, and fell into Mr. Talbot's passage, and when she got up she was all over blood.

COURT. *Q.* When the prosecutrix called her these bad names nobody struck then? *A.* No—the prosecutrix wrung her nose twice, and she said, "Don't tear my things"—she was dressed very nicely—when she came out the prosecutrix followed her to fight her—the prisoner went out of the house first, and the prosecutrix came out presently after—they were both the worse for liquor—the prisoner did not change her gown—she had a very nice dark silk gown on—she did not go away for a short time, and then return, to my knowledge—she had the same dress on when she was rolling on the ground, as she had before.

MR. HORRY. *Q.* Did you see the prosecutrix taken away? *A.* Yes, by Thomas, and her servant—the prisoner had gone home then—I did not hear her call Pearson a b— rotten cow—I should have heard it if she had—I never heard her say any bad words to her, she only told her not to tear her things.

MARY ANN BRADEN. I am single, and live in New Gravel-lane. I was in the King William public-house, and saw the prisoner and prosecu-

x there—the prisoner came down the room—the prosecutrix followed r, and said, "There is no law for pinching noses or kicking * * *"—the isoner said, "Don't tear my clothes"—I took her bonnet, and she alked out of the long room—the prosecutrix left her beads and cap at e bar, followed her out, and said, "Now, b— *Cumberland Poll*, I am ady for you;" with that, Thomas said, "*Poll*, don't fight with *no* keys"—e prisoner said, "I don't want to fight with keys, here is the key," and ie gave it very freely up to Thomas—Thomas did not wrench it out of r hand—she did not use it—the prosecutrix then made a strike at the isoner—the prisoner said she did not want to fight—she merely *shoved* ie prosecutrix, and she fell on the ground—she got up, and Thomas said, You are bleeding"—she said, "A little blood won't hurt me, come on, — *Poll*, I am not afraid of you," with that she fell against my door, and iat cut her.

Court. *Q.* Did you see the waiter take her out? *A.* The waiter iid, "Go out, don't fight in my room"—there was not an interval of ten inutes between her being taken out, and being found outside—the pri-ner had a light frock on when she had the key, but when she first came i she had a black silk dress on—she was told to go home and change her ress, that the prosecutrix might not hurt her things—she only slipped on er light dress, and came back again, and the prosecutrix insulted her gain—Thomas took the prisoner's apron off, and tore the sleeves off her own, and said, "This will do for the b— to-morrow"—the prosecutrix id she would make the b— *sport* her *browns*"—Thomas wiped the blood f the prosecutrix's face with the prisoner's apron—the prosecutrix said, Never mind a little blood," and then she said she was ready for her gain.

Mary Ann Mott. I am married. I went to the King William pub-c-house to get my husband's supper beer—the prisoner came out at the oor, and talked to two females—after that I saw Pearson without a cap—ie said, "B—— *Cumberland Poll*, I am ready for you"—Thomas asked e prisoner for the key, and she gave it to her—I did not see her doing ıy thing with it—Thomas said, "Now I have got the key, we will make up with *browns* to-morrow"—I then saw the prosecutrix run towards the risoner to hit her, but she was so drunk she fell down and cut her lip—ie got up—Perkins said, "Mary Ann, your mouth is bleeding"—she said, I don't mind a little blood"—she went to strike the prisoner again, but ll against Mr. Talbot's door, and fell down backwards.

Court. *Q.* Did you see how she cut her lip? *A.* Yes, by the curb, id she split her nose up against the door—I only saw the prisoner in one ress—that was a lightish one.

Mr. Horry. *Q.* Do you know Talbot's door? *A.* Yes—it has a sharp lge—I saw it next morning, and there is all the blood on it now—as soon the blow was struck it spirted out.

Maria White. I am an unfortunate girl, and live in New-court, New avel-lane. I was at the King William public-house—the prosecutrix as there—the prisoner came down the long-room—the prosecutrix fol-wed her and said, "Now, b—— *Cumberland Poll*, there is no law for inging noses or kicking * * *"—she did wring her nose, and she lifted r foot to kick her, but I could not swear whether she did or not—I left e room for about ten minutes, then went down the lane, and saw the pro-ıtrix, Thomas, and Perkins, together, all on the prisoner—Thomas

pulled the apron off the prisoner's side, and took it to wipe the prosecutrix's face with—Thomas said, "That will do, b——— *Cumberland Poll*, I will make you sport your *browns* for this to-morrow."

CHARLOTTE ANDREWS. I am single and live in New Gravel-lane. I was at the King William public-house last Wednesday night, and saw the prosecutrix there—the prisoner came in very nicely dressed, and went down the long-room—the prosecutrix followed her and said, "I owe it you"—the prisoner said, "What for?"—she said, "There is no law for pulling noses or kicking * * *," and pulled her nose twice—the waiter said, "Don't fight here, if you want to fight go out"—with that the prisoner went out, the prosecutrix pulled off her cap and beads, left them at the bar, and followed her and said, "Now, b——— *Poll*, if you want any thing, I will give it you"—Thomas said, "Don't fight with that key"—she said, "I don't want to fight with the key," and gave it to Thomas—the prosecutrix said, "Now, come on, we will have it"—the prisoner said, "I don't want to fight you"—she pushed her, and she fell in the gutter, and her face went on the curb—she got up, and Thomas said, "Your face bleeds"—she said, "Never mind; I don't mind a little blood"—she was going to fight again, and the prisoner and her fell down in the passage—her nose bled, and Thomas took off the prisoner's apron and wiped her nose with it—somebody said it was the prisoner's apron—she said, "Never mind that, that will do; for I will make her pull out her *browns* to-morrow."

COURT. *Q.* How was the prisoner dressed outside the public-house? *A.* She had a brown silk dress, a crape shawl, and a Tuscan bonnet—she said to the prosecutrix, "Don't tear my things," and she went home and shifted herself—it was at the second insult that the prosecutrix followed her out—she came in again after changing her dress, and went down to have something to drink with a young man, and the prosecutrix said, "If you want any thing, I can give it to you."

GUILTY.—Of an Assault.—Confined Twelve Months.

1234. STEPHEN FOWLER was indicted for burglariously breaking and entering the dwelling-house of Mary Kingsmill, on the 1st of April and stealing 9 shillings, the monies of Dennis Toomey.

DENNIS TOOMEY. I live at the house of Mary Kingsmill, in Ball-yard Belton-street, St. Giles's. I have known the prisoner some time—he was in the habit of coming backwards and forwards to the house. On Wednesday morning the 1st of April, I had 9*s.* in a box in my room—I locked the box and put the key into my pocket—I laid the box on a table by the kitchen door—it could be seen from the street through the window—locked the kitchen door safely, and brought the key away—about six o'clock that evening, on returning home, I found the kitchen door burst open—the hasp was pulled out—my box was on the table broken open, and the money gone—I went in search of the prisoner, and found him in the kitchen when I returned—I charged him with robbing me—he said he had robbed me, and spent part of the money, and he would give me his clothes next morning to pawn to make it up—I gave him in charge, but he was discharged before the Magistrate, as I had not the witness I have now, and I did not think of telling the Magistrate what the prisoner had said to me.

Cross-examined by MR. LUCAS. *Q.* Why did you charge him? *A.* I accused him of it because a boy had told me it was him—this was a few

days after the robbery—he was discharged on Thursday, taken again on Sunday, and before the Magistrate on Monday—I get my living by labouring work, and when I cannot get work I carry things in Covent Garden-market—I get 18*s.* a week—I was a good many weeks putting that 9*s.* by—I am married, and have children—my wife does a little—she washed for the prisoner once, but not for two months before the robbery, because the last washing he did not pay her for.

RICHARD BARTON. I am twelve years old, and live with my father in the same house as the prosecutor—the prisoner formerly lived in the same street—I have often seen him. On the evening of the 1st of April, a little before six o'clock I went into the yard and saw the prisoner come through the passage—he went down the kitchen stairs, pulled the hasp out of the door, went in, got the poker, and broke open the box—I ran down the area, looked through the window, and saw him take the money out of the box and put it into his pocket—he came out and went into Broad-street—I told the prosecutor, and he went in search of him—I am quite sure he is the person.

Cross-examined. *Q.* How long have you known the prisoner? *A.* A good long while—I know him perfectly—I was at the top of the kitchen stairs when I saw him do this—the kitchen stairs lead into the yard—the street door is not left open, but on the latch—any body could open it—I knew where the box was because I used to go into the room—I always saw the box there—it was locked—I did not know there was money in it—I could see it was silver money he took—there were no halfpence—it was 9*s.*—Dennis told me so—the prisoner took it out with his hand—he broke the box open with a poker—it was a good large box, about two feet by one—he knocked the front piece of wood out—I watched him because I saw him making a *row* at the kitchen door pulling out the hasp—the kitchen door is at the foot of the stairs directly opposite it—I was on the kitchen stairs when I saw him take up the poker—I then ran round, looked down the area, and saw him break the box open—I could see down to the door from the stairs—I did not tell Toomey what evidence I was going to give to-day—I have had no quarrel with the prisoner.

JOHN BLOOMFIELD (*police-constable E* 143.) I went with Barton for him to point out where he stood when he saw the kitchen door broken open—it is on the landing at the head of the stairs—I could see the kitchen door from that place—he afterwards took me outside to look down the area—a person there could see the box on the table, and all that passed in the kitchen.

Cross-examined. *Q.* Does the kitchen open straight from the top of the staircase? *A.* Yes—the window is about a yard on the right on the side facing the door—I could just see the edge of the window from the staircase—the box was on the table in front of the door, not a yard from the window—I could see the table when the door was open—it stood between the door and window—the boy described every thing to me—when Toomey gave the prisoner in charge he mentioned what the prisoner had done, but did not state about his confession the first time.

GUILTY. Aged 18.—*Recommended to mercy.*—Confined Six Months.

1235. HENRY BLEASE was indicted for stealing, on the 20th of March, 3 pairs of boots, value 5*s.*, the goods of Catherine Scanlan.

CATHERINE SCANLAN. I am a widow, and keep a clothes shop in Austin-street, Bethnal-green. On the 20th of March I hung some boots out for sale—six or seven hours after I saw the prisoner in custody of Kemp, with three pairs of boots, which I had seen safe about half-an-hour before.

Cross-examined by Mr. PAYNE. *Q.* Are you quite sure about their being yours? *A.* Yes—I had had them some days—these are them—(*looking at them*)—I know them by particular marks—they hung by a rope on a nail at the upper side of the door-post.

GEORGE KEMP (*police-constable N* 82.) On the 20th of March I was on duty in Old street-road a little before six o'clock in the evening, and I saw the prisoner and his companion in company *larking* together—I watched them for half-an-hour—I saw them go up to the prosecutrix's shop, look at some shoes at the door, and pass by—the prisoner then sat down on the next door step—his companion passed by the step several times, and each time came and talked to the prisoner—the prisoner got up, and looked into the window—his companion then took the shoes down, and both ran off together—I pursued and took the prisoner—his companion dropped the shoes—the prisoner said he saw the other take the shoes, and he ran after him to stop him—they had both run away together—I followed them better than a quarter of a mile—they both ran off at one time and in the same direction—the boots were dropped in a street a quarter of a mile from the prosecutrix's—the prisoner was running in the same direction as the other, but he never called "Stop thief" or any thing till I stopped him—the other passed the prisoner in running, and the prisoner joined and both ran together—the other was about ten or twelve yards beyond the prisoner when I took him.

Cross-examined. *Q.* You did not cry "Stop thief," did you? *A.* Yes, and ran as hard as I could—I was on the opposite side of the way, forty or fifty yards off—I got into a very bad place, and was surrounded by thieves.

(The prisoner received a good character.)

GUILTY. Aged 18.—Confined Three Months.

NEW COURT.—*Monday, April 13th,* 1840.

Fifth Jury, before Mr. Common Sergeant.

1236. SARAH WHITE was indicted for stealing, on the 8th of April, 1½lb. weight of ham, value 1*s.*, the goods of George Morgan, and that she had been before convicted of felony; to which she pleaded

GUILTY. Aged .—Confined Six Months.

1237. MARY ANN FROUD was indicted for stealing, on the 4th of April, 1 pair of boots, value 4*s.*; 1 handkerchief, value 3*s.*; the goods of John Mortlock; to which she pleaded

GUILTY. Aged 12.—Confined One Month.

1238. JOHN HANNON was indicted for stealing, on the 16th of April, 1 box, value 12*s.*, the goods of William Howard.

WILLIAM HOWARD. I live in Great Russell-street. I lost a box, on the 16th of April, from outside my door—this is it (*looking at one*)—I saw the prisoner running from a door-way, and ran and secured him—I did not see him with the box.

HENRY FARDO. I live in Great Russell-street. I saw the prisoner take the box from the prosecutor's door—I am sure he is the man—he took it to No. 17, Great Russell-street, when he saw me and Mr. Howard running out, he put it down and ran away.

Prisoner. Q. You did not see me take it. *Witness.* Yes, I am sure you are the man.

GUILTY. Aged 21.—Confined Three Months.

1239. SOPHIA WALLIS was indicted for stealing, on the 11th of July, 1 carpet, value 10*s.*; 6 blankets, value 30*s.*; 4 decanters, value 1*l.*; 2 water-bottles, value 3*s.*; 6 goblets, value 9*s.*; and 2 salt-cellars, value 2*s.*; the goods of John Hercy, her master.

THOMAS TELLING. I am butler to Mr. John Hercy, of Baker-street. On the 1st of July he and his family left town, leaving the prisoner in charge of the house—they returned on the 4th of March, and then I missed the things stated, which were left at home in her care—these are them—(*examining them.*)

WILLIAM JONES. I have two blankets, which were pledged by the prisoner or her daughter, I do not know which.

JAMES REARDON. I live with Mr. Ross, a pawnbroker in East-street. This carpet was taken in by a young man who has left the employ, in the name of Jane Watson—here are some blankets and other things, all taken in by the same person.

JONATHAN POLLARD (*police-constable D* 125.) I went to the prosecutor's house on the 12th of March, and saw the prisoner—I found forty-nine duplicates, amongst which were those of this property in her room in Baker-court—no one else lodged there.

(The prisoner received a good character, and pleaded poverty.)

GUILTY. Aged 44.—Confined Six Months.

1240. RICHARD KIPLING was indicted for stealing, on the 12th of March, 16 pieces of crystal, value 18*s.*, the goods of George Pilkington, his master.

GEORGE PILKINGTON. I am an optician, living in Clarence-place, Pentonville. The prisoner was my errand-boy—I lost sixteen pieces of crystal, called Bristol pebbles, on the 13th of March—they were safe on the 12th—these are them—(*looking at them.*)

JOSEPH SMITH. The prisoner brought these to me on the 13th of March. I knew a dog that he had with him to be the prosecutor's, and detained him.

GUILTY. Aged 18.—Confined Six Months.

1241. JAMES HAYLEN was indicted for stealing, on the 9th of April, 1 handkerchief, value 6*d.*, the goods of James Browne, from his person; to which he pleaded

GUILTY.—Confined Eight Days.

1242. WILLIAM SHERMAN was indicted for stealing, on the 16th of January, 11 writing-desks, value 4*l.* 10*s.* 8*d.*, the goods of George Henry Burgess.

GEORGE HENRY BURGESS. I am a cabinet-maker, and live in Bath-street, Leonard-square. On the 16th of January the prisoner applied to me for twelve writing-desks—I had but eleven—he said they would do—he asked me to sell them to him—I asked if he could pay for them—he said, "No"

—he asked if I had a servant that could go with him to a customer he had got for them—I said I would allow my servant to take them to the house, and bring the money to me, and his profit was to be allowed out of the money—my servant went, and came home drunk without the money or the desks—they have not been found.

JAMES ATKINS. I went with the desks—I was to carry them to the place the prisoner had to sell them to, and receive 4*l.* 10*s.* 8*d.* for the eleven desks—we went from shop to shop and did not sell one, till it came rather late in the evening, and having many pots of beer, which he paid for, I got a little too much, and all I can recollect at last was, we went to a house to leave the desks, he took me to a lodging-house to sleep, and said he would take me to some more shops to sell them—he then said he was going backwards—he did not pay the money for the lodging—the landlady said so—I went next day, and could get no intelligence of the desks—I carried part of them to the house—they were too heavy for one to carry—I never received the money.

HENRY HAMILTON. I am shopman to Charles Daniels. About ten o'clock at night, on the 16th of January, the prisoner came with Atkins, and offered some desks for sale—we said we did not want any—he asked to leave them till morning—I said I did not mind, and in the morning the prisoner came by himself and took them away.

GUILTY. Aged 30.—Confined Six Months.

1243. WILLIAM JAMES was indicted for stealing, on the 7th of April, 3lbs. weight of mutton, value 1*s.* 3*d.*, the goods of William Pain.

WILLIAM PAIN. I am a butcher, living in Cleveland-street, Mary-le-bone. On the 7th of April the prisoner came to my shop, and I saw him take a breast of mutton—I hallooed at him—he went off, and threw it into a green-grocer's shop next door—this is it.

(The prisoner received a good character, and a witness engaged to take care of him.)

GUILTY. Aged 14.—Confined Eight Days, and Whipped.

1244. THOMAS WAKEFIELD was indicted for stealing, on the 4th of April, 1 pair of boots, value 2*s.* 6*d.*, the goods of John Matthews and another; and that he had been before convicted of felony.

WILLIAM GOFTON. I am shopman to John Matthews and another, who are pawnbrokers. On the 4th of March I saw the prisoner take a pair of boots from inside the shop—he ran down a court—I pursued, calling "Stop thief," and the policeman took him—I did not find the boots on him—these are them—(*examining them.*)

JOHN RUSSELL (*police-constable G* 165.) I saw the prisoner drop the boots at the corner of White Bear-yard—I took him.

JOHN BULLOCK (*police-constable G* 116.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 18.—Transported for Seven Years.

1245. HARRIET HAMMOND was indicted for stealing, on the 27th of March, 1 printed book, value 3*s.*, the goods of Mary Ann Jennings.

MARY ANN JENNINGS. I live in Brompton-terrace, Kensington—the prisoner lodged with me. I missed this Watts's hymn-book about ten days after she left, which was on the 4th of January—I did not lend it to her.

Cross-examined by MR. DOANE. *Q.* Do you let lodgings? *A.* Yes —I had other lodgers—I had no objection to let my lodgers read a religious book—I generally kept it on the kitchen shelf.

JOHN GOULD. I am the prisoner's landlord. When the broker took an inventory of her things for me, I found this book in her box.

Cross-examined. *Q.* How long had she been in your house? *A.* About ten weeks—I put in a distress for rent—I saw the name of Mrs. Jennings in the book, and went to her—she did not go to the police-office till I took the prisoner up myself.

THOMAS TRINGHAM (*police-sergeant B* 18.) I asked the prisoner about the book—she said it had been lent to her by Mrs. Jennings, and she did not return it, as Mrs. Jennings was such a reprobate, she was not fit to read a religious book.

NOT GUILTY.

1246. HARRIET HAMMOND was *again* indicted for stealing, on the 27th of March, 2 knives, value 1*s.*, the goods of John Gould.

MARTHA GOULD. I was at my father's house on the Monday afternoon, when the prisoner's box was searched—I saw these two knives found—I know them by the maker's name on them.

Cross-examined by MR. DOANE. *Q.* Did you find in her box other knives of her own? *A.* Yes—they were larger, but had white handles like these.

JOHN GOULD. I lost a good many things—these knives are mine.

Cross-examined. *Q.* The prisoner lodged with you? *A.* Yes—I gave her notice—she could not pay her rent, and I put in a distress—I examined her box before the broker—I charged her with stealing my daughter's bonnet—the inspector dismissed that charge—I charged her with stealing three towels, and the Magistrate dismissed that.

NOT GUILTY.

1247. JOHN LITTLE was indicted for stealing, on the 8th of April, 7lbs. weight of coffee, value 12*s.* 6*d.*, the goods of William Overall.

WILLIAM OVERALL. I am a grocer, and live in Green-street, Leicester-square. About a quarter before four o'clock on the 8th of April, the prisoner came into my shop and took this bag of coffee from the box it laid on—he ran out with it—I ran, and overtook him—I never lost sight of him—I saw him throw the coffee into an area—this is my coffee.

GEORGE ANDERSON (*police-constable C* 85.) I took the prisoner, and got the coffee out of an area where the prisoner had thrown it.

Prisoner's Defence. I was coming out of Green-court, and heard the cry of "Stop thief"—a young man had just passed me—I was following him, and three gentlemen stopped me—it was nearly a minute and a half before this man came up—I know no more about it.

GUILTY. Aged 19.—Transported for Seven Years.

1248. JAMES CHAPMAN was indicted for stealing, on the 6th of April, 1 basket, value 9*d.*; and 14lbs. weight of potatoes, value 9*d.*; the goods of James Bowry.

JAMES BOWRY. I live in Ray-street, Clerkenwell. About half-past ten o'clock on the evening of the 6th of April I missed a basket of potatoes—I ran to the door, and saw the prisoner with them, and lodging them on a pair of steps leading up to some houses—I took him with them—they were inside my shop.

Prisoner's Defence. I met a young man—we had a pint or two of ale; he left me, and said he would meet me at the Britannia; I have no recollection of any thing more.

(The prisoner received a good character.)

GUILTY. Aged 24.—Confined Three Months.

1249. JAMES HAZELL and JOHN GASPAR were indicted for stealing, on the 11th of March, 1 jacket, value 25*s.*; 1 pair of trowsers, value 20*s.*; 1 waistcoat, value 10*s.*; 1 hat, value 2*s.* 6*d.*; 1 handkerchief, value 1*s.*; 1 pair of boots, value 7*s.*; 3 shillings, and 1 sixpence; the property of Thomas Bell.

THOMAS BELL. I am a sailor, belonging to the *Queen Victoria*, of Aberdeen. On the 11th of March I came to London—about ten or eleven o'clock I met some person whom I do not know, they called him *Jack*—he introduced me to a lodging-house where he was himself—the two prisoners were there—they told me to go to bed, and I should be safe in the morning—I did so, and about an hour after Gaspar came and looked over me in the bed—Hazell was behind him, and took my boots—I did not halloo out to them, as I thought it was no harm—I had put my things under my head, that they might be safe in the morning, as Gaspar told me—I had tied the door, as Gaspar told me, but they had cut the string—I got up in the morning, and all my things were gone, and the prisoners too—I do not know who took any thing but the boots.

Gaspar. *Q.* When I met you did I stop you and take you to a place? *A.* Yes—we went to one public-house, and then to another—I had 5*s.* or 6*s.*—I had 3*s.* 6*d.* when I went to bed—I paid you 1*s.* for my supper, and gave you a share of two pots of beer—all that was left in the morning was my keys—a servant of the house took me to bed—you forbid me to give my things to the mistress, but told me to put them under my head, and they would be safe—you came up without a light—I saw you open the door—it was light enough to see you—there was a sky-light above where I lay—it was moon-light—I saw you take the boots—I did not speak to you, because you pretended to be a friend.

MARY ANN SIEX. I lodge at this house. I remember Gaspar came home with the prosecutor—Hazell was in the house at the time—I heard them talk together most of the evening, they said it would be a pity for any one to meddle with his clothes, and they would take care no one should—they drank together—the prosecutor wanted some supper, and the prisoners fetched a loaf and some sausages—the prosecutor gave them the money—about two o'clock Hazell came into my room, and took off his shoes, and left them by my bed-side—I do not know whether he put on the boots—he went to *Sal's* bed-side, and said to her, "Get up, we are going to *nail* the sailor"—she said she would have nothing to do with it—about six o'clock in the morning the prosecutor came into my room, and asked me where the man was that brought him there—I said he slept in the next room, and the prisoners were gone, they had not come to bed at all that night.

Gaspar. *Q.* How long was I in the house? *A.* Five or six weeks—the prosecutor was only there one night.

EMMA BROWN. I lodge at this house. I was sleeping in the adjoining bed to Gaspar—he went to his wife, and told her he was going to rob the sailor—he went out again, and came in again, and said the sailor should

nly have 2*s.*—he undressed himself, and went out again, he came in gain, and said he should dress himself in the sailor's clothes, and should e in the coffee-shop till the morning.

Gaspar. Q. Do you mean to say you saw me come into the room? *1.* Yes—I went to bed about half-an-hour before the sailor—you said to our wife, "I am going to rob the sailor," and she began to cry, and said, 'His hat and shoes are under the bed"—I cannot tell what you did with your clothes—your wife went to bed after me—I do not know whether it was morning—I saw you go out of the room without your clothes.

Gaspar's Defence. I had lodged there seven or eight weeks; Hazell had only been there one night—I met the prosecutor, who asked where he could get a lodging. I took him to where I lodged; we had our supper, and I said to him, "If you will take my advice, put your clothes under your head, as we always do;" he was taken to bed by the servant-girl, who has run away since; there was no light in the room, and he could not see me; he never said one word when he saw this man take his boots; Brown is not to be believed—she says she heard me say I was going to rob the sailor, and why did she not tell the man by the side of her to go and tell the sailor? She said she would get me transported.

Hazell's Defence. I know nothing about it; I wished to go to bed before this prisoner and the sailor came home, but they said they had no candlestick; my shoes were under the bed before the sailor came home.

HAZELL—GUILTY. Aged 19.
GASPAR—GUILTY. Aged 29. } Transported for Seven Years.

1250. MARY FARRELL was indicted for stealing, on the 16th of March, 1½ yard of printed cotton, value 1*s.* 6*d.*, the goods of George Clarke; and that she had been before convicted of felony.

GEORGE CLARKE. I keep a linen-draper's shop in Whitecross-street, St. Luke's. On the Friday after the 16th of March Hayward called to know if I had lost any thing—I had seen the prisoner in my shop on the 16th—I did not miss any thing till Hayward came—I saw this printed cotton safe in my shop on Monday morning, the 16th—I had not sold it—I have missed it—it is mine, and has my private mark on it—it was a remnant, and could not be sold without asking me, as the price was not marked.

HARRIET HAYWARD. I am a searcher at the station-house—I was sent for to search the prisoner on Monday evening, the 16th of March—she said she had not a farthing's worth about her, but in her basket I found this print.

Prisoner's Defence. I bought it for 1*s.* 4*d.* in his shop; I have a witness to prove it.

THOMAS COTTEE (*police-constable E* 205.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Clark's office—(*read*)—the prisoner is the person.

GUILTY. Aged 43.—Transported for Seven Years.

(There was another indictment against the prisoner.)

1251. ANN BROWN was indicted for stealing, on the 27th of March, 28 yards of printed cotton, value 10*s.*, the goods of John Dent.

GEORGE BUCKELL. I am shopman to John Dent, a linen-draper, in Crawford-street. About eight o'clock, on the 27th of March, I was pass-

ing inside my shop, and saw the prisoner at the door, looking at some furniture on a board inside the shop—I had suspicion, and looked round a pile of carpet, saw her take a piece, put it under her cloak, and walk off with it—I stopped her at the corner of Union-place, opened her cloak, and saw it in her hand—I brought her back, and she dropped it in the doorway.

DANIEL GRIMWOOD (*police-sergeant D* 11.) I took the prisoner.

Prisoner's Defence. I was looking at it; he came, and said I meant to steal it; I had not got from the door.

GUILTY. Aged 30.—Confined Three Months.

1252. JOHN WILLIAMS was indicted for breaking and entering the shop of Henry Isaac Mayes, at St. Matthew, Bethnal-green, and stealing therein 20 pieces of woollen cloth, value 2*s.*, his goods.

HENRY ISAAC MAYES. I am a tailor, and live in Portugal-place, Cambridge-road, St. Matthew, Bethnal-green. I was walking past my shop about nine o'clock, on the 6th of April—I saw the door broken, one man inside the shop, and the other out—the prisoner was one—I said, "Halloo!"—they said, "It is all right"—I said, "I don't think it is all right"—I sung out, "Police," and "Stop thief"—the two men made a rush to get out—there is a sort of wicket-gate, and the other man's hat fell off, and in it was a number of these pieces of woollen cloth he got from me—I ran after him to Northampton-street, and lost sight of him for five or six minutes—I then went back to the shop, knowing I had left it just as the men ran out—then I found the hat outside the gateway, and also a bundle, containing the remainder of the pieces, wrapped up in a silk handkerchief—the prisoner was one of the two men I saw there—I have no doubt, I am sure of him—I cannot say whether he was outside or inside the door—I had left the door safely shut up.

Cross-examined by MR. PAYNE. *Q.* Did you not at first express some doubt about his being the man? *A.* When he was brought to me, he turned and said, "Then you swear I am the person"—I said, "Stop till we get to the shop, because I should not like to say I know you are the man till I am positive"—it was about nine o'clock at night—the pieces of cloth are worth 2*s.*—nothing was found on him.

HENRY LEWIS TYTLAR. I am a tailor, and live in Whitechapel-road. I was in Cambridge-road on that evening—I saw the prisoner running up Northampton-street to Essex-street, and then he got over a garden-wall—he said, "Let me be, I will not run"—I had made no charge against him then—he did not say it to any one in particular, but there were several people standing round—he then walked a few yards, and began to run—the had left policeman who came up pursued and took him.

Cross-examined. *Q.* There were a number of people collected? *A.* Yes—this garden is about ten feet long—he had just come over the garden-wall when he said, "Let me alone"—I was coming along the road, and heard the cry of "Stop thief"—there might be twenty people.

DANIEL HEGARTY (*police-constable K* 201.) I heard the cry of "Stop thief," and came up with this man, in possession of two men—he was pointed out as the person who attempted to commit the robbery—I took him to the prosecutor, who gave him in charge.

Cross-examined. *Q.* The prisoner denied it? *A.* Yes.

GUILTY.* Aged 30.—Transported for Ten Years.

1253. JOHN CARROLL and JAMES ROACH were indicted for stealing, on the 2nd of April, 2 pump-boxes, value 10*s.*, the goods of Thomas Heath and another.

JOHN ROSS. I am chief mate of the ship *Malcolm*, belonging to Thomas Heath. These pump-boxes, belonging to the ship, were in the carpenter's store-room, and on the 2nd of April I had them moved, about the middle of the day—they were loose—on the morning of the 3rd I was called to the station-house, and missed them out of the ship—I believe them to belong to Thomas Heath and another, as far as the ship is concerned.

Cross-examined by MR. PHILLIPS. *Q.* Who is the other partner? *A.* Captain James Froome; and I believe there are other partners besides him, but I do not know who they are.

EDWARD POYNTON. I am night watchman. I stopped the prisoners with the property—I do not know who owns the ship.

NOT GUILTY.

1254. HENRY HORNER, *alias Cooper*, was indicted for stealing, on the 30th of March, 12 pairs of socks, value 11*s.*, the goods of William Boome.

GEORGE LAWS. I am a shopman to William Broome, a hosier, in Oxford-street. About eight o'clock in the evening of the 30th of March I saw these socks safe just inside the door—I saw them unusually working up and down—I ran to the door, and saw the prisoner with another lad run off—I followed, and saw the prisoner throw these socks up Marylebone-lane—I followed, and took him—they are called half-hose in the trade—some people call them socks.

Cross-examined by MR. HORRY. *Q.* Where were you? *A.* Behind the counter serving a customer—I was three yards in the shop—I had to come five or six yards round to the door—I gave an alarm to a young man, and went round myself—a person outside might see me in the shop—it was about eight o'clock at night—I saw the prisoner and another lad running from the door—I saw the string was cut—I found they were gone before I ran out—I never said I ran out, and found the parcel gone—I could not miss them till I got to the door—the prisoner was about three yards from the door when I went out—I turned to see the parcel was cut, and they ran off directly—before I came out I saw the parcel was missing—the persons I saw were to the left—I pursued the prisoner, and he threw them from his hand up Marylebone-lane, which is three or four yards from the shop—I saw them while I was standing at the door—when I got out they were walking—I followed the prisoner to Welbeck-street, about a hundred yards—I did not lose sight of him—I was not more than two or three yards behind him—I slipped for a minute, or I should have caught him long before.

GUILTY.* Aged 17.—Transported for Seven Years.

1255. CHARLOTTE EVANS and FRANCES GREEN were indicted for stealing, on the 28th of March, 1 quilt, value 4*s.*; 2 blankets, value 8*s.*; 1 tea-kettle, value 3*s.*; 1 sheet, value 5*s.*; and 1 pillow-case, value 1*s.*; the goods of Susannah Lane.

SUSANNAH LANE. I am a widow, living in Mary-street, Hampstead-road. On the 28th of March Evans took a furnished lodging at my house

as a married woman, but when she came she brought Green as her sister—I have lost the articles stated—these are them—(*looking at them.*)

JOHN WELLS. I am a pawnbroker, living in Adam's-row, Hampstead-road. This tea-kettle I took in of Evans, and the blankets and sheets were taken in of Green, on the 28th of March, by my young man in my presence.

Evans's Defence. I did it through distress.

EVANS—GUILTY. Aged 19.
GREEN—GUILTY. Aged 30. } Transported for Seven Years.

(There was another indictment against Evans.)

1256. MARGARET MILLER was indicted for stealing, on the 7th of March, 3 blankets, value 15*s.*; 2 sheets, value 5*s.*; 2 pillows, value 5*s.*; 2 candlesticks, value 3*s.*; 1 table-cloth, value 1*s.*; 2 towels, value 2*s.*; and 1 carpet, value 1*l.*; the goods of Samuel Hobbins.

JANE HOBBINS. I am the wife of Samuel Hobbins, a painter, and live in Bouverie-street, Edgeware-road. The prisoner took my ready furnished lodging, and I missed the articles stated—these are them—(*looking at them.*)

DAVID NUNN. I am in the employ of Mr. Button, a pawnbroker, in John-street, Edgeware-road. On the 7th of March the prisoner pledged one of the blankets, and another one on the 19th—a sheet and candlestick, a table-cloth, two towels, and other things on the 21st.

GUILTY. Aged 25.—*Recommended to mercy.*—Confined Three Months.

1256. JOHN CROFT and MARY CROFT were indicted for stealing, on the 27th of March, 1 copper-lid, value 2*s.*, the goods of James Nicholson.

JAMES NICHOLSON. I keep the sutling-house at St. James's-palace. On the 27th of March the prisoners came to my house together, about four o'clock in the afternoon—the man asked for half-a-pint of beer—they went into the tap-room, and sat together—I had seen this copper-lid safe that day between eleven and twelve o'clock—I had occasion to send the boy out while they were in the tap-room, and while he was away the man came to the bar, and called for half-a-pint of beer—while I was serving, the woman passed me, and I saw the copper-lid projecting from under her cloak—the man stepped inside the tap-room, and then he followed her.

Cross-examined by MR. CLARKSON. *Q.* Were there any people in the tap-room? *A.* Not that tap-room—there was in another—I have not found the copper-lid.

COURT. *Q.* Why did you not stop her? *A.* It is a usual thing for mechanics to come and eat their dinners at my house, and I thought it might be her property—all I know is I saw something like a copper-lid under her cloak.

HENRY GALLIMORE. On the 27th of March I left the copper-lid safe a little after four o'clock—I came back in about five minutes, and then the party and the lid were gone.

Cross-examined. *Q.* Were there oyster people and other people in the tap-room? *A.* Yes—there were no soldiers in the other tap-room.

NOT GUILTY.

1258. WILLIAM DEMMETT was indicted for stealing, on the 13th of March, 10 loaves of bread, value 6*s.* 6*d.*, the goods of Richard Hooke, his master.

RICHARD HOOKE. I am a baker, and live in Shoe-lane—the prisoner was my servant—on the 13th of March I sent him, among other places, to Mrs. Norie, in Bear-alley, with fifteen loaves—he brought word back that they wanted ten more, and in the afternoon I sent him with ten more—he came to the counter and had them booked—here is the book in which they are entered—on the Monday morning he was to take their bill—on the Monday I gave the bill—shortly after breakfast Mrs. Norie sent to my shop and said they had not got the bill—I questioned the prisoner, and he said he supposed he had left it at another customer's—I made out another, and in the course of the day they came and said there were ten loaves too many—the first opportunity I had, I questioned the prisoner about the loaves, and he said, "I suppose I forgot to book them"—I said, "Very well, go in the evening and set it right"—he went out and did not return.

Cross-examined by MR. BALLANTINE. *Q.* Had he to take loaves out to other customers? *A.* Not at that particular time—I am quite sure he said Mrs. Norie wanted ten more loaves—I am sure he did not merely say that he wanted ten.

ANN SAVAGE. I am servant to Mrs. Norie, who lives in Bear-alley—I received fifteen loaves, and they were put down in the book, which I have here—the prisoner brought word in the morning that Mr. Hooke could not spare any more.

Cross-examined. *Q.* What are you? *A.* Mrs. Norie's sister—I had these loaves to sell—we keep no servant—Mrs. Norie sometimes takes in the bread herself—the man that brings it makes the entry in the book—I always take care that he enters it—I am always in the shop, and was there the whole day.

(The prisoner received a good character.)

GUILTY. Aged 20.—Confined Three Months.

1259. JOHN SMITH was indicted for stealing, on the 9th of April, 1 coat, value 10*s.*, the goods of John Berry.

JOHN BERRY. I am a builder living in Chapel-street, Stockwell—I left my coat in my chaise on the 9th of April just on one side of the Mansion-house—I was away about half-an-hour, and when I came back it was gone—(*produced*)—this is it.

JOSEPH CHARLES HOWETT. I am a surveyor, and live in Walbrook—the prosecutor came to my house, and desired one of my clerks to watch the chaise—I saw the prisoner take the coat from the gig—I ran out and took him about a dozen yards off—I have made inquiries, and I believe distress caused him to do it.

GUILTY. Aged 40.—Confined One Month.

1260. MARY GRAY was indicted for stealing, on the 8th of April, 1 plate, value 1*s.*, the goods of Robert Gordon and others.

MAJOR JOHN ABBOTT. I am a private in the first battalion of Grenadier Guards—I was on duty in Whitehall-gardens, and saw the prisoner come from the Reform Club-house—I saw the print of a plate through her apron—I had seen it previous to that on the sand bin in the yard—I went to the yard, and the plate was gone—I returned and took her with it—she said it was an old broken plate she had picked up—it was not broken then, it is now.

MATTHEW SAUNDERS. I am servant to the Reform Club-house—this

plate is the property of Robert Gordon and others—Robert Gordon is secretary to the Lords of the Treasury.

HENRY BENTLEY (*police-constable A* 193.) I took the prisoner.

Prisoner's Defence. I went and picked up bones, and this plate was among some sand. NOT GUILTY.

1261. JAMES BARTON was indicted for stealing, on the 8th of April, 1 time-piece, value 18*s*., the goods of William Sparrowe.

WILLIAM SPARROWE. I keep an auction-room, and live in Smith's-row, New-road—I had a time-piece on the 8th of April—this is it—it had been with me several days for sale—I had seen it about a quarter of an hour before it was missed.

ELIZABETH ANN SAXON. I saw this time-piece at Mr. Sparrowe's on the 8th of April—I saw the prisoner take it up and put it under the left flap of his coat, and go out—I made an alarm—he was brought back with it.

GEORGE DUDNEY. I was at the auction-room on this evening—I heard Saxon call, "That man has stolen a time-piece"—I went, and saw him throw it into a piece of land—I took it up, and gave him into custody.

Prisoner's Defence. I came out with the rush of people, I did not take it.

GUILTY.—Confined Six Months.

1262. JOSEPH HANNEY was indicted for embezzlement.

CHARLES WYMAN. I keep a public-house in Curzon-street, May-fair. The prisoner was my potman—it was his duty to receive money paid on my account—if he received 1*s*. 3*d*. on the 22nd of March, he has not paid it to me, which he ought to have done that day.

MARY FOSBURY. I live in Spring-square, and deal with the prosecutor. The prisoner brought me a pint of beer, and half-a-pint of rum on the 22nd of March—I paid him 1*s*. 3*d*. for his master.

Prisoner. I own taking the money, but it only came to 1*s*. 2*d*.; the whole money was 5*s*. 1*d*.—I used to account to his wife twice a day, and I accounted to her for this. NOT GUILTY.

1263. JOHN WILSON RIDOUT was indicted for stealing, on the 31st of March, 1 cream-ewer, value 5*l*.; 1 bed-tick, value 3*s*.; 1 set of bed furniture, value 2*s*.; 1 sofa-cover, value 2*s*.; 2 castors, value 1*s*.; and 6 bolts, value 1*s*.; the goods of Abraham Soloman, his master.

ABRAHAM SOLOMAN. I am a furniture-broker, and live in Little Queen-street. The prisoner was a French-polisher, and was at my house on the 31st of March—he left that evening, and did not return the next morning as he ought—I lost the cream-ewer on the 31st, and the other property prior to that time—I had used the ewer that day at breakfast—this is it—it has a crest on one side, and initials on the other—(*looking at it.*)

JOHN DAVIS. I live with Mr. Wells in Queen-street. About ten o'clock that night, the prisoner came to the George public-house—I saw him with the milk jug—I heard Mr. Soloman had lost one, and gave information.

RICHARD PEARCE. I am potman at the George. The prisoner came on the evening of the 31st of March, into the tap-room, sat down, and threw down some bed-furniture, and in about ten minutes after, he said, "I have

got something at the next house, which I want to get away, I got it from a sale "—he went and got a milk-ewer like this.

Prisoner's Defence. I could not return, as the officer took me, and the bed-tick does not belong to Mr. Soloman.

(The prisoner received a good character.)

GUILTY. Aged 35.—Confined One Year.

1264. JANE LACY was indicted for stealing, on the 5th of March, 4 sovereigns, 2 half-sovereigns, 10 shillings, 1 watch-guard, value 2*s.*; and 1 pair of boots, value 7*s.*; the property of John Swanson.

JOHN SWANSON. I am a seaman, and lodge in Gravel-lane. On the 25th of March, I went to Bluegate-fields with the prisoner—I had four sovereigns, two half-sovereigns, ten or twelve shillings in silver, and a silver watch-guard—I took off my clothes, put them on a chair, and went to bed—I sent the prisoner for some gin and porter, which she brought—I sent her for a light—she said she had no money—I told her to put her hand into my pocket, to find some coppers among the silver, which she did, she went out, and did not return—I got out of bed, overhauled my things, and found all this property gone, and my shoes—no one else had been in the room—nobody else could have taken them.

GEORGE WILLIAM GRAVES (*police-sergeant K* 11.) I went to Tothill-fields Bridewell, and saw the prisoner, I told her she was charged with stealing 5*l.* 10*s.* and a pair of shoes, from the prosecutor—she said he must be a very false man, she had only taken 3*l.* 10*s.*, and knew nothing about the shoes.

GUILTY. Aged 19.—Confined Six Months.

1265. JOHN GRANT was indicted for stealing, on the 3rd of April, 1 printed book, value 1*s.* 6*d.*, the goods of Charles Stencer.

JOHN BROWN. I am shopman to Charles Stencer, a bookseller, in Charlotte-street, Fitzroy-square. I lost a printed book—this is it.

WILLIAM BUTCHER (*police-constable E* 51.) About a quarter before eight o'clock, on the 3rd of April, I saw the prisoner pass the prosecutor's shop, go on the other side, then cross again—he came, took this book, and walked about twenty yards, I then secured him.

Prisoner's Defence. I did not move two yards, when he laid hold of me.

GUILTY. Aged 20.—Confined Three Months.

1266. JOHN DUDLEY, FREDERICK HOEFLER, and THOMAS TAYLOR were indicted for stealing, on the 6th of April, 3 loaves of bread, value 7*d.*, the goods of George Beland; and that Hoefler and Taylor had been before convicted of felony.

MARTHA BELAND. I am the wife of George Beland, and live in Charlotte-street, Whitechapel. About half-past one o'clock, on the 6th of April, I was in my parlour—I heard a rustling at the window, Bowden called me—I went out, and missed three loaves—I ran down Nottingham-place, and saw the three prisoners running—Dudley delivered some loaves to the other two—he was then secured—he said he had done nothing—I said, "Come back, I will see what you have done"—Hoefler and Taylor got off at that time.

ANDREW BOWDEN. I live in Duke-street. I was in Charlotte-street, near the prosecutor's window—I saw Hoefler open the window, and each

of the prisoners take a loaf—I went and told—Mrs. Beland overtook them—they hid the bread—I am sure I saw them each take a loaf.

ROBERT MIDDLETON (*police-constable K* 216.) I took the prisoners—I do not know what became of the bread.

Hoefler's Defence. I was in Whitechapel about ten o'clock that evening, and they took me.

ROBERT CHAMBERS. I produce a certificate of Taylor's former conviction, which I got from Mr. Clark's office—(*read*)—I know Taylor—he is the person.

EDWALD WELSH (*police-constable H* 180.) I produce a certificate of Hoefler's former conviction, which I got from Mr. Clark's office—(*read*)—Hoefler is the person.

DUDLEY—GUILTY. Aged 12.—Confined Six Months.
HOEFLER*—GUILTY. Aged 15. } Transported for Seven
TAYLOR*—GUILTY. Aged 15. } Years.

1267. LOUISA PUDDICK and HESTER CURRY were indicted for stealing, on the 10th of April, 154 yards of lace, value 3*l.* 17*s.*, the goods of Thomas Hendy.

THOMAS HENDY. I am a laceman, and live in Hereford-place, Commercial-road. On the 10th of April, about half-past eleven o'clock, the two prisoners came to my shop and asked my daughter-in-law to serve them—I saw the thread lace box on the counter before them—they asked my daughter to go to the other end of the shop for something else, and while she was gone, Puddick took five cards of thread lace off the counter and gave them to Curry, who concealed them under her right arm, under her shawl—I saw them—I was in the parlour at the back of the shop—I came up and fixed my eye on Curry—I saw she had the lace under her right arm as she was sitting on the seat—seeing she was discovered, she burst into tears, took the lace from under her arm, and put it on the counter.

Cross-examined by MR. PAYNE. *Q.* What were you doing? *A.* I was about to shave, but had scarcely commenced—I was looking into the shop through a glass window—I could see distinctly what took place on the counter.

Cross-examined by MR. CHAMBERS. *Q.* Were you about to put the lather on your face? *A.* Yes—I dare say I was—I was not looking in the looking-glass at the moment I saw the property stolen—my daughter Elizabeth was serving them—Cooper, my shopwoman, was in the parlour—there is a looking-glass in the parlour, by which you can see what is going on in the shop—it was not that glass at which I was shaving, but another.

SARAH COOPER. I am shopwoman to Mr. Hendy. I was in the parlour and saw the prisoners looking at some lace—Mr. Hendy desired me to come out—I saw Curry take the lace from under her right arm, and put it on the counter—that was about five minutes after I came into the shop.

Cross-examined by MR. PAYNE. *Q.* What was your master about? *A.* Going to shave—he was looking into the shop—I was sitting in the parlour opposite the door—I did not see Puddick take the lace—she had her back to me—I was about a yard from Curry behind the counter, when I saw her take the lace from her shawl under her right arm—I saw it distinctly—she was in front of it.

ELIZABETH BURRELL. The prisoners came to the shop and asked to look at some thread lace—they then asked for some stomachers, and while my back was turned to get them, one of them took the lace out of the box—it was there when I went, and it was gone when I came back—there was 154 yards of it—Mr. Hendy came into the shop soon after, and stood behind them watching them—they bought three-quarters of a yard of lace at half-a-crown a yard, and paid for it—they had not bought any before—I saw the lace produced and thrown upon the counter.

Cross-examined by MR. CHAMBERS. *Q.* Had you not placed these five cards on the counter for them to look at? *A.* Yes, and missed them on my return—it was impossible to avoid it—they were looking at some others—it is not unusual for one person to hand lace to another, who turns to the light to look at it—I have stated that my father was shaving and looking into a glass at the fire-place which reflected from the shop.

COURT. *Q.* But you were not in the room where he was? *A.* No—there were five cards of lace on the counter, but the box was by the side of it—the pieces that were taken were taken from the box—the five remained on the counter.

THOMAS HENDY *re-examined.* The box contained from fifty to sixty cards—they were selecting the cards of lace—my eyes were never off them—Puddick had selected them, and she took them from the counter and gave them to the other.

(Puddick received a good character.)

PUDDICK—GUILTY. Aged 20.—Confined Six Months.

CURRY*—GUILTY. Aged 21.—Transported for Seven Years.

1268. JOSEPH WILLIAMS was indicted for stealing, on the 9th of April, 1 handkerchief, value 1*s.* 6*d.*; 1 purse, value 1*s.*; 1 shilling, and 1 penny, the property of William Christie, from the person of Louisa Christie.

LOUISA CHRISTIE. I am the wife of William Christie, who lives in New North-street, Red Lion-square. I was in St. James's-street, Pall Mall, on the evening of the 9th of April—there was a crowd there—I felt something—I turned and said to the prisoner, who was in a blue coat, "You have robbed me"—he had his left hand in my pocket—he took it out and put it in his own pocket, and made off—I put my hand in and missed my handkerchief and purse from it.

Prisoner. I had not a blue coat on—it was the coat I have on now. *Witness.* I am sure you are the man that took it—you ran a few yards, and was brought back by the police.

SAMUEL WRIGHT (*police-constable P* 172.) I watched the prisoner for ten minutes behind the prosecutrix—I saw him put his hand in her pocket, and draw out this handkerchief—he ran about ten yards—he took this handkerchief from his pocket and threw it down—I threw him on some steps, and took him.

GUILTY. Aged 22.—Confined Three Months.

1269. JOHN SMITH was indicted for stealing, on the 8th of April, 1 handkerchief, value 5*s.*, the goods of Thomas Cooper, from his person; and that he had been before convicted of felony.

THOMAS COOPER. I live in Chapel-street, Pentonville. On the evening

of the 8th of April I was in Little Britain—I received information, turned, and saw the prisoner, and accused him of having stolen my handkerchief—he denied it—he was searched in my presence, and this handkerchief found on him—it is mine, and was safe a quarter of an hour before.

Prisoner. *Q.* Did not a gentleman cross the road, and say, "You have got a gentleman's handkerchief?" then you ran across, and said, "Yes, that is my handkerchief," it was found on the stones. *A.* It was taken from under your waistcoat.

WELCOME COLE. I was walking opposite the prosecutor. I saw the prisoner and another walking behind the prosecutor—I saw the prisoner raise the tail of his coat, and take the handkerchief—I crossed, and told the prosecutor—I hastened after the prisoner, and took the handkerchief from under his waistcoat.

ADAM SPAREY (*City police-constable, No.* 38.) I produce a certificate of the prisoner's former conviction from Mr. Clark's office—(*read*)—he is the person.

JOHN ANDERSON. I am clerk at Giltspur-street prison. The prisoner had three months' imprisonment for that offence.

GUILTY. Aged 18.—Transported for Ten Years.

1270. CATHERINE COHEN was indicted for feloniously receiving, on the 30th of March, of an evil-disposed person, 3 forty-franc pieces, value 4*l.* 18*s.*; 19 twenty-franc pieces, value 15*l.* 10*s.* 4*d.*; and 12 imperials, value 9*l.* 16*s.*; the monies of Christian Bager; well knowing the same to have been stolen; against the Statute, &c.

ELIZABETH MORGAN. I am the wife of James Morgan, and keep a beer-shop in Duke's-court, Bow-street. On Monday or Tuesday last the prisoner came to my house with a girl, and called for a pint of ale—they stood and drank it, and offered my daughter a sovereign, as I thought, and asked if I could give change—I said "No," and I told my daughter *to go* and get change—she went and came back, and said it was a French sovereign—I said I should like to see one—I took it, and gave it back to the prisoner.

Cross-examined by MR. CLARKSON. *Q.* Do you know a person of the name of Thwaite? *A.* Yes, two or three—one Samuel Thwaite lives in Lascelles-place, and there is Peter Thwaite, who lives with his father, in Market-court, Russell-street—I have known him a good many years, not as an acquaintance, but as a neighbour's child—he is no relation of mine—my daughter married a brother of his—I have been told that he lived with the prisoner—I have not known it—I have not heard him make a statement about this prosecution—he did not offer to make a bet about the result of it, or tell me he wanted to get rid of her—I never heard from him how long he had lived with her, nor that he promised to marry her—I heard of his having thrown himself into the Thames—I saw him last about ten days ago—I never heard him lay a bottle of wine about this—I never saw the prisoner but once before she came to my house for this pint of beer—she was at my daughter's wedding.

CHRISTIAN BAGER (*through an interpreter.*) I went to a house—I had three forty-franc, nine twenty-franc pieces, and twelve imperials—I saw the prisoner and two more in the house—the prisoner left the room—my money was safe after she left—I afterwards made a complaint of being robbed—the

prisoner came in again—she pointed out my money to me—I got fourteen pieces out of the thirty-seven—there were two girls on the bed.

NOT GUILTY.

1271. MARY WILLIAMS was indicted for stealing, on the 25th of March, 1 snuff-box, value 1*l.*; 2 seals, value 16*s.*; 1 pair of bracelets, value 2*s.*; 1 clasp, value 1*s.* 6*d.*; 2 snaps, value 1*s.*; 1 cross, value 1*s.* 6*d.*; 2 pencil-cases, value 10*s.*; 1 pair of ear-rings, value 3*s.*; 2 brooches, value 12*s.*; 3 shirts, value 7*s.*; 1 handkerchief, value 5*s.*; 1 watch-guard, value 1*s.*; 1 buckle, value 2*s.*; 1 eye-glass, value 6*d.*; 1 watch-key, value 6*d.*; and 2 seals, value 6*d.*; the goods of Thomas Nathaniel M'Phail.

THOMAS NATHANIEL M'PHAIL. The prisoner was servant where I lodged—I have lost a quantity of jewellery—this is mine—(*examining some.*)

Cross-examined by MR. PHILLIPS. *Q.* Has not the greater part of it been restored by the prisoner's parents? *A.* Yes—I am not aware that there is any more missing.

SAMUEL BROOKS. I am apprentice to Mr. Chadwick, a watchmaker. I received this box as a present from the prisoner about five weeks ago—she said it was her brother's, and he gave it her.

Cross-examined. *Q.* And she lent you a volume of Shakspeare, I believe? *A.* Yes.

THOMAS SILVESTER (*police-constable F* 103.) I took her—she said she had done wrong, and deserved to be punished.

(The prisoner received a good character, and a witness engaged to maintain her till she got a situation.)

GUILTY. Aged 19.—Confined Nine Days.

1272. SUSAN HARRIS, WILLIAM JONES, and **WILLIAM HARRIGAN** were indicted for stealing, on the 8th of April, 6lbs. weight of bacon, value 4*s.*, the goods of Henry Coe.

HENRY COE. I am a cheesemonger, and live in Fitzroy-square. On the 8th of April, about half-past eight o'clock, these two pieces of bacon were taken from my shop.

GEORGE ANTHONY. I saw the three prisoners in Marylebone-street standing at a cheesemonger's door, about ten yards from Mr. Coe's—they then walked on to Coe's shop—Jones looked in several times, then walked in, and brought something out—Harris stood opposite, and then he went in—I missed Harris, and then I saw Jones give something to Harrigan—they walked on, and Jones whistled—Harris crossed, and tied up the bacon in a handkerchief—I got an officer, who took them.

Jones. He says he saw me go into the shop; it is false. *Witness.* I have every reason to believe that the boys are the dupes of the female prisoner—I have seen her about.

Harris's Defence. I did not know the boys before; they gave me the bacon, and asked me to carry it home for them.

HARRIS—GUILTY. Aged 16.—Confined Three Months.
JONES—GUILTY. Aged 15.
HARRIGAN—GUILTY. Aged 14. } Confined Nine Days and Whipped.

Sixth Jury, before Mr. Sergeant Arabin.

1273. CHARLES DE CANTAROS was indicted for stealing, on the 30th of March, 1 portmanteau, value 15*s.*; 2 belts, value 2*s.*; 1 dagger and case, value 1*l.* 5*s.*; 1 printed book, value 6*d.*; 1 pocket-book, value 1*s.*; 2 snuff-boxes, value 21*s.*; 1 cigar-box, value 6*d.*; 1 pair of stockings, value 1*s.*; 2 pairs of socks, value 1*s.*; 6 shirts, value 14*s.*; 5 curtains, value 3*s.*; 2 pillow-cases, value 2*s.*; 7 handkerchiefs, value 4*s.*; 1 towel, value 6*d.*; 1 scarf, value 2*s.*; 2 pairs of gloves, value 2*s.*; 1 pair of braces, value 1*s.*; 1 memorandum-book, value 3*d.*; 1 night-cap, value 3*d.*; 2 stocks, value 2*s.*; 1 tobacco-pouch, value 6*d.*; 3 purses, value 1*s.*; 2 pairs of trowsers, value 1*l.*; and 1 coat, value 2*l.*; the goods of Raphael Moro; to which he pleaded

GUILTY.—Transported for Seven Years.

1274. JOHN MONTEITH and ANN MONTEITH were indicted for feloniously receiving, on the 24th of March, of certain evil-disposed persons, 3lbs. weight of mutton, value 1*s.*, the goods of Thomas Seabrook, well knowing the same to have been stolen; against the Statute, &c.

THOMAS SEABROOK. I am a butcher, and live in Harrow-road, Paddington. On the 24th of March a breast of mutton was stolen from me, about half-past twelve o'clock in the day—I was informed of it by a neighbour—I went out, and saw some boys—I followed them—I then went to the prisoners' room with Ridley, and asked if they had not got a boy there concealed with some meat—they said they had not—I said I was convinced that they had—they said if he was there he must be in the area—I went, and there was no one there—I looked about the room, and found the boy Young in the turn-up bedstead and this meat—John Monteith was sitting by the fire smoking his pipe, and did not say any thing.

Cross-examined by MR. PAYNE. *Q.* Did both the prisoners speak to you? *A.* No, only the woman—I have heard that they are husband and wife.

JOHN YOUNG. I am fourteen years old, and live with my father in Little Carlisle-street—he is a policeman. I know the boy Ridley who stole the meat—I was with him and two others—Ridley took it from the shop, and gave it to me—I was two yards off when he stole it—the prisoners live in Devonshire-street—I took the breast of mutton there—I had not seen the prisoners before, but the other two boys told Ridley to take it there, and I took it—I found the two prisoners there—I set it down, and asked if they would buy it—they said they would—I said I wanted 10*d.* for it—they said they would give me 8*d.*—I said I would take 9*d.*, I would not take less—they said they would not give me more than 8*d.*, as they could buy it at a shop for 1*s.*—the male prisoner was putting his hand into his pocket to pull out the money to pay me 8*d.*, when Ridley and the prosecutor came in—(the female prisoner had dealt with me, but the man was going to pay me)—I saw the policeman have hold of Ridley, and I said to the prisoners "Here is the butcher, where shall I get to?" and the woman told me to get into the bed—I went into the bed directly, which was turned up.

Cross-examined. *Q.* You have been tried for this, have you not? *A.* Yes, and convicted—I was fined 1*s.*, and discharged.

THOMAS SAVORY (*police-constable D* 58.) I took the prisoners in charge.

Cross-examined. Q. Have you made any inquiry about them? *A.* have heard that the man is a watchman, and bears a very good haracter.

OHN MONTEITH—GUILTY. Aged 73.—*Recommended to mercy by the Jury.*—Confined Six Months.

ANN MONTEITH—NOT GUILTY.

1275. THOMAS ROBERTSON was indicted for stealing, on the 28th of February, 4 boxes, value 30*s.*; 1 bag, value 6*d.*; 1 drawer, value 2*s.* 6*d.*; 30 tablets, value 9*l.*; 60 paper-knives, value 6*l.*; 20 fans, value 5*s.*; 2 knives, value 1*s.*; and 2 forks, value 1*s.*; the goods of Joseph Smith, his master: and SAMUEL WILKINSON, for feloniously receiving the same well knowing them to have been stolen; against the Statute, &c.; to which Robertson pleaded

GUILTY. Aged 19.—Transported for Seven Years.

JOSEPH SMITH. The prisoner Robertson was my errand-boy for four or five weeks—I know nothing of Wilkinson, but part of my property has been discovered, and is here now—what is produced is mine.

GEORGE MONSON. I am a sergeant in the 14th Light Dragoons. On the 29th of February I met the prisoner Wilkinson in the Canteen at Hounslow-barracks—I had never seen him before—I purchased this small paper-knife of him—(*looking at it*)—he asked me 1*s.* for it—he had a great number of other things for sale as a sort of pedlar.

JOHN PRICE. I am a servant in the 14th Light Dragoons. I was at Hounslow-barracks, and saw Wilkinson there on the afternoon of the 28th of February—I had seen him before, two years ago last November, when he was in the Blues—he came from the same town that I do—he stopped with me from the afternoon of the 28th till the 29th, and when he was going away he made my children a present of a small knife and fork each—these are them—as he was going away he dropped this box, and left that with me.

MARY TURNER. I live at Hounslow-barracks. I saw Wilkinson there on the 29th of February—I had never seen him before—he came to the mess kitchen with a number of things—I bought these three work-boxes of him for 10*s.*—he told me he was a manufacturer of them.

ROBERT MYERS. I am a retailer of beer, and a grocer, and live at Turnham-green. Wilkinson came to my house, and had a pint of beer—he had a number of goods, which he exposed on the table for sale—I said they were very splendid, and I was sorry to see such a sacrifice—I bought nothing of him but this bag (*producing it.*)

JOHN WILLIAM JONES. I am a pawnbroker, and live at New Brentford. I have three ivory tablets, pawned on the 28th of February by Wilkinson, in the name of John Williams—he said he was the maker and seller of the goods, and he had taken nothing all day—I lent 2*s.* 6*d.* on them.

JOHN GILBERT. I am a shoemaker, and live at West-place, Turnham-green. I saw Wilkinson in a beer-shop—he offered me this drawer (*producing it*), and asked if I would give him a pot of beer for it, which I did.

HENRY JOHN BEAUMONT. I am a pawnbroker, and live in Edgeware-road. I took in two tablets of Wilkinson on the 28th of February.

JOHN HUGHES. I am a pawnbroker. I produce one tablet, which I

took in pledge of Wilkinson on the 28th of February in the name of John Williams.

Wilkinson's Defence. I came out of the country on the 26th of February, and on the 27th I was at a public-house with some friends about ten o'clock; I met with the prisoner Robertson there; I heard them talking about a raffle for an accordion, they put my name down for one; I saw Robertson again that night, he said he made fancy goods and toys, and we might get a living by selling them, that he could get plenty of goods; I said I would sell them; the next morning, at ten minutes before eight o'clock, he came to my lodgings, and said he had got some things; I went and pawned some of them, then went down the road, and sold the rest.

GUILTY. Aged 23.—Transported for Fourteen Years.

1276. THOMAS MAGEN was indicted for stealing, on the 9th of April, 1 handkerchief, value 4*s.* 6*d.*, the goods of Robert William Elliott, from his person.

ROBERT WILLIAM ELLIOTT. I am an accountant in the Excise-office. On the 9th of April, between four and five o'clock, I was in Shoreditch with two ladies—we stopped at a jeweller's shop window to look at some jewellery—I had a handkerchief in my pocket, and I had scarcely got to the window when I saw the *ruffling* of my handkerchief over my left shoulder—I turned, and saw the prisoner with my handkerchief in his hand close behind me—I pursued him—he carried it some distance, and then threw it down—the officer took it up—I pursued, and he was stopped—this is my handkerchief—(*looking at it.*)

Prisoner. I was not behind him at all—I never saw him till I was taken. *Witness.* I never lost sight of him.

MILES DOWLING (*police-constable H* 135.) On Thursday last I saw the prisoner take this handkerchief in his hand, probably from the prosecutor—he ran down Bateman's-row—I pursued him till he threw it down—I took it up, and followed till he was taken.

Prisoner's Defence. I was going to look for work; some person stopped me, and somebody said, "That is the boy that took the handkerchief;" I had never seen the gentleman.

GUILTY.* Aged 18.—Transported for Ten Years.

1277. JOHN GROUT was indicted for a misdemeanor.

WILLIAM SQUIRE. I am a manufacturer of manifold-writers. Mr. Thomas Varty, a stationer, in the Strand, deals with me—I had a recollection of seeing the prisoner as having come from Mr. Varty—on the 13th of March he came and had two of our writers to show to a gentleman in Piccadilly, which I delivered to him—he came again in the afternoon for another, but I had in the meantime received information, and secured him—he told me he had come from Mr. Varty, and on that credit I gave him the two writers, thinking Mr. Varty had sent for them.

THOMAS VARTY. I am a bookseller and stationer. I deal with Mr. Squire—the prisoner lived a little better than three years ago in our service—I did not send him, on the 13th of March, for these writers—he had no authority from me to get them.

JAMES COLLINS. I am a pawnbroker. I took in one manifold-writer of the prisoner on the 13th of March—this is it.

GEORGE FARMER. I am a pawnbroker. I took in this other writer of the prisoner on the 13th of March.

Prisoner's Defence. I was out of a situation; I obtained them, being in distress, for the purpose of paying my rent; I thought I should be able to return them, as I expected some money the next Saturday morning.

GUILTY. Aged 21.—Confined Twelve Months.

1278. JAMES MALOY, RICHARD BUTLER, JAMES MEAD, and HELEN BURKE, were indicted for assaulting a policeman in the discharge of his duty.

MALOY—GUILTY. Aged 20. } Confined Three
BUTLER—GUILTY. Aged 36. } Months.
MEAD—GUILTY. Aged 20.—Confined Six Weeks.
BURKE—GUILTY. Aged 18.—Confined One Month.

OLD COURT.—*Tuesday, April 14th*, 1840.

Second Jury, before Mr. Sergeant Arabin.

1279. MARY FANN was indicted for a common assault.

(The Prosecutor did not appear.) NOT GUILTY.

1280. JOHN HARRISON was indicted for a misdemeanor.

JONATHAN PEARSON. I am an ironmonger, in partnership with Thomas and John Pearson. I deal with Mr. Griffiths—on the 26th of March the prisoner came and said he wanted one of the best bottle-jacks—I got him one to look at—he asked the price, and said it was for Mr. Griffiths, of No. 2, Burton-crescent—he said he would have that one, and asked to see a lamp which was in the window—he said it was just the sort of article Mr. Griffiths had been speaking about—I wished to send it home, but he said he would take them, and said, "That is an excellent guard you had put up in Mr. Griffiths's nursery"—I let him have the articles, believing he came from Mr. Griffiths—I had some recollection of having seen him before.

Cross-examined by MR. HORRY. Q. What was the value of the bottle-jack? A. 14*s.*, and the lamp 7*s.* 6*d.*

THOMAS PEARSON. On the 26th of March, after the prisoner had been with my brother, he came and said he wanted the lamp he had just looked at—I said, "Which do you mean?"—he pointed to one on the counter, and said it was for Mr. Griffiths—I said, "You had better let us send it"—he said, "No, you had better let me take it," and I gave it to him—between half-past four and five o'clock he came again for a dozen table knives and forks, he said Mr. Griffiths had a party that day, and they were all in a bustle—I asked what sort he would have—he said what Mr. Griffiths had were balance ones—he selected a dozen at 36*s.*, and took them away with him—in two hours suspicions were raised, and I went to see Mr. Griffiths—I parted with the goods, believing he came from Mr. Griffiths—he also said to me, "That was an excellent guard you put up a twelvemonth ago."

GEORGE STONEHOUSE GRIFFITHS. I am a solicitor. I deal with Pearson and Co.—I did not authorise the prisoner to go for these articles—I knew nothing about it—I never received the goods—he did not live

with me—I have known him some years—he is a connexion of mine by marriage, and knew I dealt with Mr. Pearson—he bore a very excellent character till lately.

WILLIAM RIDEWOOD. I am a broker and curiosity-dealer, in Cleveland-street. I bought this bottle-jack, and lamp, on the 26th, of the prisoner.

Cross-examined. Q. What did you give for them? *A.* 5*s.* for the two—I had seen the prisoner two or three times before—he had sold me trifling things on each occasion—I think the time before that he sold me an old box, and some old newspapers—I gave him 1*s.* or 1*s.* 6*d.* for the box—he sold me an old shot-belt and powder-flask for 1*s.* together—I do not recollect what I bought of him besides—I do not keep an account of what I buy—he was dressed as he is now—he brought me the bottle-jack about two o'clock, and the lamp at the same time—I know these knives were offered to me, between five and six o'clock—I said I did not want them, and offered 5*s.* for them.

JOHN DOWLING. I am a clothes-salesman, in Cleveland-street. I bought the knives of the prisoner, for 7*s.* they were quite new.

Cross-examined. Q. Had you seen him before? *A.* Yes, several times—I bought some trowsers of him, and other things.

GUILTY. Aged 22.—Confined Six Months.

Before Mr. Baron Alderson.

1281. RICHARD GOULD, *alias Arthur Nicholson*, was indicted for the wilful murder of John Templeman.

MESSRS. JONES *and* BALLANTINE *conducted the Prosecution.*

ELIZABETH THORNTON. I am single, and live with my mother, in a cottage in Pocock's-fields, Islington—Mr. Templeman lived in a cottage facing us. On Tuesday morning, the 17th of March, I went to Mr. Templeman's cottage, at half-past eight o'clock, with two sheets of writing-paper—I knocked at the door, but received no answer—Mr. Templeman used to sleep in the further room from a cottage inhabited by Mrs. Jarvis, and the further room from the door—the door opens into one room, and then you go into the other—there is a window to the bed-room—when I received no answer I went to the bed-room window, and found it shut down as usual—there was a short curtain to it inside—I was too short to see over the curtain—I then went to the sitting-room window, and found it open—I then returned home, and told my mother what I had observed.

Cross-examined by MR. CHAMBERS. Q. How far is your cottage from Mr. Templeman's? *A.* It may be about a yard, as far as I can call to mind—it faces it—our door is not opposite his door—it is about as far from it as from me to the bench of this Court—the window which was open looks towards our cottage—there is no yard before it—it is all one piece of ground—there are palings all round our house, and Mr. Templeman's too—our bed-room window faces towards Mr. Templeman's—I recollect that there was a pane of glass broken for some time in Mr. Templeman's window, and there was a piece of paper over it, when my mother used to go backwards and forwards, but there was not that morning, it had been thrust through—there are three cottages within about the same distance of Mr. Templeman's as ours—there are four cottages standing together, Jarvis's, ours, Mr. Templeman's, and Mrs. Downes's—Mr. Mustow's cottage is at the back—that makes five—it was a beautiful moon-light night the night before I went—I think it was frosty—the ground was dry by the window where I was standing—it

was more like clay than gravel—I think it was soft—I did not look to see if there were any foot-marks—I went home directly, and told my mother.

MARY THORNTON. I am the mother of the last witness—she resides with me in a cottage in Pocock's-fields. On Tuesday morning, the 17th of March, I sent her to Mr. Templeman's cottage with some writing-paper—she returned, and made a communication to me—I then went to Mr. Templeman's cottage, and knocked at the door—no answer was returned—I then went to the bed-room window—it was quite closed—there was a curtain and drawn-blind to it—I looked over the curtain, and saw the bed—there was no one in it—I saw Mr. Templeman on the floor, about a yard from the bed, lying with his feet towards the fire-place, and his head towards the parlour door—I then went round to the sitting-room window, and found it was open—I had known Mr. Templeman nearly four years—three years and a half full he had been in the neighbourhood—for about two months I had been in the habit of washing and charing for him, fetching his errands, and such like—the parlour window was always closed previous to this morning—I never saw it open—it used to be fastened with a little button just below where it was broken—it had been broken a long time—it was quite a small hole, nearly close to the button—there was no difference in the hole that morning, except that the paper was gone, and, I believe, a bit of glass—it had been fastened with a bit of glass, and paper on it—when the paper was gone any body could put their hand in and open it—the window is quite big enough for a man to get in when it is open—I had been to the house the evening before, at a quarter before six o'clock, and left about five minutes before six o'clock—he usually went to bed about six o'clock—he never was up afterwards, unless any body was there—he did not have any beer on Monday evening, to my knowledge—I have known the prisoner about four or five months—he had been pot-man at the Barnsbury Castle public-house—I have seen him serve Mr. Templeman with beer—I know the Jarvises—they live nearly close to Mr. Templeman's—it is one of the four cottages—I have heard that the prisoner was on visiting terms at Jarvis's, and I have seen him go in repeatedly—I think it must be nearly a fortnight before this affair that I saw him there—I did not see any thing of Mrs. Jarvis on the Monday evening—I saw her in the fore-part of the day at her own door, or else in the ground—she had her child with her.

Q. Did you see any money that day at Mr. Templeman's cottage? *A.* Yes, he showed me some, and told me had been receiving some rents—it was silver, and was in a little mahogany box—I had never seen that box before—he put it on the table where he took it from to show me the money—the table stood in the middle of the room—he had never shown me any money before.

Cross-examined. *Q.* You have said to-day you have seen the prisoner serve Mr. Templeman with beer; is that quite correct? *A.* Quite—I never said I thought I had—I might have said so, but I can say that I did see him, and that will settle it—I might have said I thought, although I was certain—the prisoner used to come round to serve the neighbours with beer—it was seldom I had any beer, but when I did he served me—there are four cottages besides Mr. Templeman's—my son-in-law and daughter live with me—I do not take lodgers occasionally—we have no room for ourselves hardly—Mr. and Mrs. Downes live in their cottage—she does not take lodgers that I know—how should I know other people's

affairs?—I have not seen a strange man going in and out of Downes's cottage, to my knowledge, unless it is acquaintances going, who are strangers to me—I do not know what sort of persons they are—I never trouble my head about it—I saw people go in there—I do not trouble my head with my neighbours' concerns—I have not seen any strangers going in and out of Mrs. Palmer's, or Mrs. Mustow's—they might have visitors—I never take notice of other people's affairs—I might have seen people going in and out—I do not trouble my head about it.

MR. BALLANTINE. *Q.* You were examined at the Police-office and before the Coroner? *A.* Yes—I never mentioned having seen the prisoner at Mr. Templeman's to any body.

FRANCIS CIPRANI. I am a night-watchman at Sadler's Wells theatre, and live with my mother-in-law, Mrs. Thornton. I used to work for Mr. Templeman, digging in his garden—on Monday evening, the 16th of March, I received 7*s.* from him for my labour—it was six shillings and two sixpences—I received it about a quarter or twenty minutes before six o'clock, to the best of my recollection—I know a man named Jarvis, and I have seen his wife—I saw her, about half-past four o'clock that day, come away from her cottage, and go to Mr. Templeman's cottage, and stand just by the door talking to him, to the best of my recollection, for five or ten minutes—I did not see what became of her then—I was busy at work—I missed her from the door—I did not take notice which way she went.

Cross-examined. *Q.* You were first taken up on this charge, is that true?—*A.* Yes—on Tuesday, between twelve and one o'clock, I was discharged next morning before the Magistrate—no evidence was given against me—the Magistrate said he discharged me without a stain on my character—I accounted for how I passed my time—I brought forward the call-boy at our theatre, to prove that I let him out at half-past three o'clock—I rent the cottage myself, but keep my mother to look after it—I do not know that Mr. Templeman kept any tools in his house—he called me in that morning, and sent me to fetch a basket of coals for him—he used to sit in the parlour, opposite the window—I never saw him sit with that window open.

COURT. *Q.* When Mr. Templeman paid you the 7*s.*, did he take it out of a little mahogany box? *A.* Yes, it stood on the table—I saw a quantity of half-crowns, shillings, and sixpences in it—that was between a quarter and twenty minutes before six o'clock—I was not at home when the girl came to inform my mother-in-law of the window being open—I did not leave Sadler's Wells theatre till about five minutes to nine o'clock in the morning.

COURT *to* ELIZABETH THORNTON. *Q.* When you went back to tell your mother the window was open, what did she say? *A.* She said, "Good God! I hope nobody has got in, and murdered the old gentleman"—that was before she went to the house.

WILLIAM KEAR (*police-constable N* 131.) On Tuesday morning, the 17th of March, about twenty minutes after eleven o'clock, I received information, and went to Mr. Templeman's cottage, in company with two surgeons—I found the door fast inside—I went in through the sitting-room window, and opened it—it was single-locked—I unlocked it, and let the surgeons in—it was locked from the inside, and the key was in the door—there are two rooms to the house—there is only one front door, and a door to each room—there is no back door—the two windows are in front of the cottage, one on each side of the door—there is no back window, and no way of get-

ting out of the house behind—you must come either through the door or one of the front windows—there is a wooden partition between the two rooms—I saw the body of Mr. Templeman lying on his back on the floor, not far from the bed—his room is small—his feet laid towards the fire-place, and his head towards the window—his hands were tied across with a cord in front of him—there was one cord round the wrists, and a smaller cord tied round the other cord—a stocking was over his eyes, and tied behind—there was another stocking on the floor—both stockings were covered with blood—I suppose the blood on the one over his eyes came off the floor where he lay—there was blood on both sides of the stocking—Sergeant Collins came to the cottage soon after, and he found some of the deceased's clothes on a sofa—he had nothing on but a shirt—I did not observe whether it was a night-shirt or day-shirt—his legs were not tied—there was a chest of drawers in the sitting-room—the two top-drawers had been forced open, it appeared to me, by a chisel—in one of the drawers was a box open, which Collins has—I do not know what wood it is made of—I suppose it is mahogany—I should think it is about six inches by ten or eleven—there was nothing in it—in the bed-room Mr. Roe, the surgeon, picked up a tooth off the pillow, and one off the chair, and I myself picked one up off the floor—there was a pool of blood close to the body—the body lay on the top of the blood—most of the blood was about the head—the tooth was in part of the blood close to the head—the pillow of the bed was all bloody—the sheets were not—the most blood was on the pillow, and the rest on the floor.

Cross-examined. *Q.* I wish to know exactly what time it was you went to Mr. Templeman's cottage? *A.* About twenty minutes after eleven o'clock—I went at the request of Mr. Roe, the surgeon—my beat is not in Pocock's-fields—it was Harris's, No.112, beat that morning—he is not here—he went on duty at nine o'clock that morning, and would continue there until two—I do not know who he relieved at nine—there was a man who left at nine—he went on duty at six—the man he relieved would be on duty from nine the night before till six in the morning—I do not believe that either of the men who were there that night and morning are here—I know Pocock's-fields—there are a great number of cottages there—they are principally inhabited by a working class of people—Mr. Templeman's cottage is surrounded by other cottages.

COURT. *Q.* Then you don't know who the men were—what is their beat, how far does it go? *A.* It is called the Liverpool-road beat—it belongs to that beat—I came on at nine o'clock that morning, and was going off at two o'clock—I was at Highbury—I do not know how near the policeman in the Liverpool-road beat would have to go to the place where this happened—I heard him say he passed the cottage about ten o'clock, and heard nothing then—I examined the deceased's wrists—I did not observe them when the cord was taken off—I cannot tell whether the cord was put on after or before he was dead—he was bruised about the knees, and on the breast—the pillow-case was all over blood—it appeared that a blow had been given him while he was lying there, by the tooth being on the pillow.

MARY THORNTON *re-examined.* *Q.* To whom did you first give any information concerning the state in which you found the cottage? *A.* To my son's landlady, a person named Pershouse, in the next cottage to ours, about three minutes after I first found it out—my son returned from the

theatre about ten or twenty minutes after nine o'clock in the morning—I had heard Mr. Templeman mention that he had a grandson living in Mortimer-street, and I knew him well—as soon as my son came home from the theatre, I sent him to give information to Mr. Templeman—that was in consequence of what the deceased had told me during his life time.

Cross-examined. Q. Did you see Mr. Templeman's body through the window? *A.* I did—I said so to Mrs. Pershouse—she did not accompany me to the window, and I told the baker, who came up with Mr. Templeman's bread—I do not know the policeman who was on duty at the time—I never saw him—I have seen policemen there, but do not know who was there that morning—they very seldom come there—I did not attempt to find one.

EDWARD ROE. I am a surgeon, and live in Brown-buildings, Islington. I accompanied Mr. Lord and a policeman to Mr. Templeman's cottage, about twenty minutes after eleven o'clock—the policeman got through the window, opened the door, and let us in—I saw the deceased with only a shirt on, lying with his feet towards the fire-place, and his head towards the door of the room—the body was in the bed-room, towards the door, which is between the two rooms—he was lying on his back, rather inclining to the left side, facing the window—his eyes were firmly bandaged with a stocking—if he had been alive, he could not have seen—there was a good deal of blood on the stocking, which I think must have been saturated with the blood on the floor, after it was tied on his eyes—I have no doubt his head had fallen on the floor, and the stocking got into the blood—his hands were securely tied by a cord in this posture—(*describing it*)—a small cord secured the other cord fastened between the wrists, through a noose in the cord, to make it more secure—I did not notice the wrists then—I did after the cord was removed, and they were galled, and the hands and nails blue—that would unquestionably show that it had been put on during life—I have no doubt he struggled—the blueness would be occasioned by the pressure of the cord—I observed several bruises on his face, a severe blow over the left temple, and a cut on the nose—the lower jaw was fractured on both sides—I observed four clean cuts on the back of the head, and one or two bruises on the breast bone, in conjunction with the collar-bone—his knees were much abraised, rubbed up, as he had, no doubt, been struggling on the floor—there was some blood on the floor immediately under the deceased's head—I should say perhaps ten ounces—the wounds would most likely continue to bleed some time—there was no contused wound on the left temple to cause the blood—I have no doubt a good deal of the blood came from the jaw, and also the clean cuts on the back of the head—the blow on the temple was most probably given by a blunt round instrument, similar to a policeman's staff—it might be done by a piece of wood—the same instrument might have produced the fracture of the jaw, and one blow might produce both fractures—I think the wound on the nose was from a kick, or something of that description, not done by a sharp instrument—the wounds on the back of the head were inflicted by a very sharp instrument.

COURT. Q. Were they inflicted as with a knife, as if a person had cut, or a hatchet, as if they had struck? *A.* Neither—I should say like a chisel, as if a chisel had been struck on the back of the head.

MR. JONES. Q. Did you find any teeth? *A.* I found one on the pillow, with a great deal of blood round it, and another on a chair, with a few spots of blood—I was present when a third was found by the police-

man—I examined the jaw, and found three teeth had been forced from the sockets—they were not front, but side teeth—I think that was very probably done by the blow which produced the fractures—there were several blows about the mouth, and I think one while he was lying in bed, from the circumstance of the tooth being found on the pillow, and the blood there—the tooth on the chair was as if it had fallen out when he got out of bed—I found a small piece of stick, about two inches and a half or three inches long, with hair attached to it, and saturated with blood—it was the hair of the head—it was dark hair—I can scarcely call it grey—this is the piece of splinter—(*produced*)—there is hair on it now—a kick from the heel or toe of a shoe might have made the cut on the nose, if there were nails in it, and I think it might be done by a shoe or boot without nails—from the appearance of the body when I saw it, I should judge it had been dead five or six hours—it retained a little warmth about the region of the heart—the body was quite cold—the time in which a body gets cold depends occasionally on the kind of death the person meets with—a body has retained warmth occasionally two days after death—ten or eleven hours is not at all an unusual time—I have no doubt, had the body remained in bed, it would have been warm a long time after it was—Mr. Lord accompanied me—he was also present at the *post mortem* examination—the injuries which I saw on the body, produced death—I have no doubt the death was owing to the violence I have described.

COURT. *Q.* How was the stocking fastened round the head? *A.* It was tied in a knot twice—the knot was formed in the stocking itself—the blow on the temple was above the stocking, over the temple.

Cross-examined. *Q.* Is it your judgment, as a man of experience, that the body had been dead about five or six hours? *A.* It is—I should rather say a body would be more likely to retain heat two days where the party came to his death by violent means—a body would of course be more likely to get cold on the floor than in bed—it was a very cold night on Monday, and morning too—I should think there was not sixteen ounces of blood altogether on the pillow and floor.

Q. I believe the piece of stick is mahogany? *A.* I am no judge—it is saturated with blood, and the character of the wood is altered—it is splintered off a round stick—there is no doubt of it.

MR. JONES. *Q.* In your judgment, would the blows you saw on the deceased occasion instant death? *A.* I believe the blow over the left temple would occasion instant death—I did not observe whether there was any matting or carpet on the floor—he might have been dead more than five or six hours—it is mere matter of opinion—I saw nothing to render it improbable that he had been dead a longer time.

COURT. *Q.* It may have been fifteen, ten, or five or six, but it must have been five or six, that is what you mean? *A.* Yes, it could not have been less than five or six—I do not know whether it might have been fifteen, it is a very difficult question to answer—I should rather not pledge myself to a few hours, more or less.

ALFRED LORD. I am a surgeon, and live in Trinidad-place, Islington. I was present at Mr. Templeman's cottage with Mr. Roe, and saw the state in which the body was—I attended the *post mortem* examination—in my judgment he died of the wounds I saw—the blow on the left temple would alone be sufficient to produce death—it produced concussion of the brain, and extravasation of blood—he would not be able to stir after that

the same blow producing a fracture of the skull, he could not struggle afterwards—the struggling with the arms and knees must have been before—after the blow which fractured the jaw there might have been a good deal of struggling.

COURT. *Q.* Did the deceased appear to be an athletic strong man? *A.* He appeared to have been so at one period of life, and from my observation of his body he was rather a stout man—he appeared rather a strongish man, and one who would struggle a good deal, I think—the hands were blue below the cord—the hands and nails—I do not think one man could have tied his hands unless another held them.

JOHN COLLINS (*police-sergeant.*) I went to Mr. Templeman's cottage on Tuesday morning, and was there with the surgeons—I have produced the splinter of wood—it was cut at the police-office—I have had it examined, according to the prisoner's request, by a turner, who gave his opinion that it is "red saunders"—he described it as a very heavy close wood, coming from New South Wales—I searched the drawers in the deceased's sitting-room—the top drawer on the left hand side had been broken open apparently by a chisel or small crow-bar or something—I found in it two boxes, a quantity of papers, and two notes of the Bank of Elegance—one for 50*l.* and the other for 5*l.*—(*producing them*)—this is the mahogany box—it has a lock to it—it is not broken—it was shut when I found it, but unlocked—I found the key of it in the deceased's trowsers pocket—I do not think any violence had been offered to the lock—there are also a quantity of papers, bills, and memorandums—I found no money in the drawers, but in his trowsers pocket was a purse with three sixpences—that was in the same pocket with the key—the papers were apparently tumbled about a good deal—these notes, folded up in this way look like notes of the Bank of England—I thought they were so when I first found them—behind the door of the sitting room I found a chopper and a hammer in the corner between the outer door and the bed-room door—I do not think they had been used—I also found a hammer in the cupboard on the top of some clothes—that did not appear to have been used—I found no piece of wood except this—I found no weight except two clock weights—they were round at the bottom and flat at the top—they were in the further corner of the sitting room, attached to the clock—I did not find any other weights in the bed-room.

Cross-examined. *Q.* How many persons have you taken up on this charge? *A.* There have been four persons, Jarvis and his wife, Ciprani, and the prisoner—Pocock's-fields is included in my duty—I was on duty on the Monday night—I did not visit Pocock's-fields—Thomas Peacock is the man who was on duty there—he is not here—Harris came on duty at nine o'clock—I do not know who went on duty between six and nine o'clock—I know Pocock's fields—I should think Mr. Templeman's cottage is a mile, or nearly so, from the Angel, at Islington.

MR. BALLANTINE. *Q.* How far is it from the Rainbow public-house? *A.* About a quarter of a mile.

JANE LOVETT. I am the wife of Jonathan Lovett, and keep an eating-house at No. 2, Northern Buildings, Somer's Town. We occupied the house as tenant to Mr. Templeman—on Monday the 16th of March Mr. Templeman called on me at a quarter before twelve o'clock—I had known him about three years—he appeared generally poorly in the winter, he had better health in the summer—he appeared rather poorly that day—he had a

cold, I imagine—I paid him 3*l.* that morning—it consisted of five or six half-crowns—I am positive there were five, and one half-sovereign, the rest in shillings, and to the best of my knowledge six sixpences.

Cross-examined. Q. Do you know where you got that money? *A.* I took it in business at different times—I took the whole of it within two days in our shop.

HANNAH MORGAN. I live at No. 18, Skinner-street, Somer's Town—I knew the deceased—he called on me on the 16th of March at half-past eleven o'clock in the morning, and asked me to lend him 3*l.*, which I did—I gave him fourteen half-crowns and twenty-five shillings—he gave me 1*s.* for a piece of mutton to carry home to make him some soup—he dined with us, and left at half-past three o'clock—he seemed in very low spirits and bad health, labouring under a very bad cold.

COURT. Q. Did he give you any reason why he borrowed the money? *A.* He said he wanted it to make up an account of money—he left at a quarter before twelve o'clock, and came in again and dined with us afterwards.

MR. JONES. Q. Did he ask you to lend him the 3*l.* before he went away, or afterwards? *A.* He asked for it as soon as he returned to dine, which was about a quarter before twelve, or from that to twelve—I do not live near him—he left at half-past three o'clock in the afternoon—Skinner-street leads into the New-road, nearly opposite Judd-street—I cannot tell how far that is from Pocock's fields—I never was there, only at the Barnsbury Castle public-house—I suppose it is two miles from there—I know Mrs. Lovett—she lives about three doors from me—he gave me the shilling after he asked for the 3*l.*

JANE LOVETT *re-examined.* I did not observe whether he had any other money about him when I paid him the 3*l.* for the rent.

Cross-examined. Q. Where did he put it? *A.* In his right hand trowsers pocket.

JOHN BUSH. I am a labourer, and live in Goodwin-street, Barnsbury-park. I had a cottage in Pocock's-fields, called Spring Cottage—about seven months ago the deceased offered me 25*l.* for it—he never brought any money forward—we did not come to any agreement at that time—I saw him about a week or nine days after—there was an agreement between my wife and him—he said he would give me 25*l.* if I would take it—I said it was no use, I wanted 30*l.*—we only had one conversation on the subject—it was against his own gate—I stood outside and he inside—I mentioned to several people about what had taken place between Mr. Templeman and myself about the cottage.

COURT. Q. This conversation took place between you and him alone? *A.* Yes.

Cross-examined. Q. How far from Mr. Templeman's cottage do you live? *A.* I suppose two hundred yards.

BENJAMIN HAWKINS. I keep a beer-shop in Bride-street, Islington, not far from Mr. Templeman's cottage—I knew him—I do not remember any communication between Bush and Mr. Templeman about a cottage—I saw a sum of money with Mr. Templeman at the time he was about to buy a cottage—I do not know how much it was—it is as much as three or four months ago.

Cross-examined. Q. Do you know John Bush? *A.* Yes—that is not the circumstance I refer to.

COURT. *Q.* Then this money had no reference to Bush's cottage? *A.* No, it was for Mr. Game's cottage.

MR. BALLANTINE. *Q.* Do you know Jarvis's cottage? *A.* Yes—I knew Mrs. Jarvis and the prisoner—I saw him at Mrs. Jarvis's once, sitting by the fire—I do not know whether he was smoking—it is two or three months ago.

Cross-examined. *Q.* Do you happen to know a man named Henry Wright? *A.* Yes—I believe he is a pot-man—he lodged at Allen's at the same time as Gould lodged there—that is a good while ago, I should think about last Christmas—Wright was out of employ then—I do not know where he is pot-man—when I first knew him he was at Mr. Stroud's, at the King's Arm's public-house, Liverpool-road—that is twelve months ago, I believe—it is about a quarter of a mile from Pocock's-fields—he was pot-man there—I think it was after that that he went to lodge at Allen's—I cannot recollect distinctly the time he lodged there—I am not sure whether it was before Christmas or after—I do not know how long he lived there—he very seldom frequented my beer-shop, he did once now and then to take a glass of porter—I do not know any other place besides Stroud's where he lived—he was a good bit out of employ, I know, but how long I could not positively tell—I have not seen him about Pocock's-fields lately with beer—I did at the time he lived at Stroud's—he was not living there at the time I heard this about the money, it was before that—I do not know whether he was living at Allen's at that time—I cannot say.

MR. JONES. *Q.* You say Wright and the prisoner lodged together at Allen's. *A.* Yes—I do not know whether they were intimate friends—I do not recollect that I ever saw them together away from Allen's.

JOSEPH MUSTOW. I live at a cottage at the back of Mr. Templeman's, close to his—I do not know the prisoner, but I have seen him about with beer from the Barnsbury Castle public-house where he was pot-man—I cannot say how long it is since he left there—I know I took beer of him before Christmas, but I do not think I have since—I do not know whether he supplied Mr. Templeman with beer—I have seen him about the cottages supplying people with beer—I knew Mr. Templeman very well—I have heard that he was in the habit of talking to people about his money, and he has showed it to me several times—he has paid me small sums of money—he generally took it out of his pocket—he took out more than he wanted—he appeared fond of showing his money—on the Tuesday before he was murdered he showed me this 50*l.* note—it was doubled up so that I could just see the amount at the corner—it was in his room—he went to the drawer and fetched it out to show it me—I did not mention the circumstance to any body till after his death—I have seen the prisoner at Mrs. Jarvis's, when he lived at the Barnsbury Castle public-house—I cannot say that I have seen him there since, or in the neighbourhood—I have two dogs—I keep one at the end of my house where I keep my pigs—that is just at the back of Mr. Templeman's cottage—it is always out at night chained up—he is a sort of lurcher—any body he knows may do any thing with him, but to strangers he is not so civil—I kept that dog there while the prisoner was at the Barnsbury Castle—the prisoner was not acquainted with the dog—I do not think he knew him—he might have seen him, but not to be near him—I do not think the prisoner was ever on my premises.

Cross-examined. Q. When were you subpœnaed to attend here? *A.* ast night—that was the first time I was applied to.

COURT. Q. Did your dog make any noise on the night of the 16th? *A.* o—the dog was about as far from the window at which the persons got to the house, as across this court, or half as far again—I am sure the dog ould begin to bark at a stranger at that distance, if he could hear his foot-teps, but it would be ten to one if the dog heard them, because that win-ow is in front, and the dog was behind.

HENRY WRIGHT. I am potman at the Duchess of Kent public-house, Devereux-street, Dover-road, where I have been seven weeks—it is about our miles from Mr. Templeman's cottage—I have known the prisoner rom seven to eight months—I saw him on the 12th or 13th of last March, am not positive which—I think it was the 12th, Thursday—he came to he Duchess of Kent public-house about half-past seven o'clock in the vening, and called for half-a-pint of porter, and put down a penny, saying e had no more money—I did not take the money—I brought him a pint f porter—I then went out to deliver my beer—I returned about half-past ight o'clock—the prisoner was then standing on the outside, opposite the ouse, talking to a young man, a potman in the neighbourhood, named Richard Squires—there was no conversation between them after I came up —we had some porter together—as soon as we had had the pot of porter etween us three, the prisoner and I walked up the street together—while e were walking together he said he had been ill, and was without money, nd for want of money he was getting worse—he stated that he knew an ld man who had got money—I asked him how he knew he had got money —he said he had heard he had bid 25*l.* for a cottage, and he had *flashed* a 50*l.* note, and said if that was not enough he had got more—the prisoner aid that he had put the notes into a drawer, and it would be like a gift to im, for he knew where to put his hand on it—he said he should like to ave a right one along with him—I said, "A right one!"—he said, "Yes, right one, or I could do it myself"—I asked him where the old gentleman ived—he said, "Oh, not far."

Q. Not far from where? *A.* From where Gould lived.

COURT. Q. Did he say so? *A.* Yes; he said, not far from him, that s, signifying where Gould lived—he said, "Not far from home"—those were the words he used.

MR. BALLANTINE. Q. Now, is that all you remember of what passed, or was any thing else said? *A.* That is all I remember—when he was in he tap-room he named to me that he had been to a publican whom he once ived with, and that he should endeavour to get a situation, and try that man if he would give him a character, that he would send to him—that vas before I walked with him—he said nothing further than I have stated vith reference to the old gentleman's money.

Cross-examined. Q. Do you know where Mr. Templeman lived? *A.* Yes, in Pocock's-fields, at the back of Liverpool-terrace—a sawyer lived n the next cottage to Mr. Templeman's when I served him—I do not know who lives in it now—I think the sawyer's name was William Izod—he worked in the City-road—I served him—I served most of them near Mr. Templeman's cottage, all round the field—I served the principal of the cottages—I think there were not ten persons who did not deal with me when I carried beer round there—nobody lived with Mr. Templeman hen—I do not know who took care of his house—this cottage was build-

ing at the time, and after Izod left, he lived in this cottage till his cottage was built—Mr. Tiffin was building this cottage for him while he lived in Izod's—he took possession of the new cottage about two years back—I have known him as long as that—that is the only cottage into which he shifted—when I first knew him I was living at Mr. Ralph's, the William the Fourth public-house, at the corner of Park-street and Minerva-place—I left there because I got another situation—I did not like it—there was no other reason for my leaving—I went after that to the Craven Arms public-house, Bayswater—I was about twenty-six weeks at Mr. Ralph's the first time—I did not go with a character to the other place—I was eleven months at the Craven Arms public-house—after leaving there I went to work for Mr. Ralph a week, till he got a man, and then I went to the Hope and Anchor public-house, Islington—the landlord left the house, and Mr. Walton took it, and there were a few words between us, and I left—there was no charge against me—the words were about stopping out a few hours—I stopped out between four and eight o'clock—I went away of my own accord—the words were with Mr. Walton, who keeps the house—there had been no charge against me of any kind—there has been a charge, but it was not from Mr. Walton—it was from the Duke of York public-house, Gloucester-street—I asked permission to go out; while I was out, a cash-box was lost, and when I returned home I was taken up on suspicion, and charged with stealing it—that might be between four and five years ago—there has been nothing further—I never was in custody before, nor yet charged with any thing—I lived at the City of London public-house—I was not in custody respecting any thing there—it is at the corner of Sydney-street and Dalby-terrace—I left there to take a beer-shop, after nine years' service—I left of my own accord—there was a cellar there—nothing was said about my conduct in that cellar—that I swear—that is somewhere about the time after I came out of Hatton-garden office—I went to live there again—I lived there about ten months—I opened the beer-shop before I went to the Duke of York public-house, but it did not succeed—I know Mr. Jarvis's cottage very well.

Q. How long before the night Mr. Templeman lost his life, were you in Pocock's-fields do you think? *A.* On the 9th or 10th I was there—I went to visit Mr. Allen of Wilson-cottage—I had lodged there some time before—there are two rooms in Allen's cottage and, an old back kitchen, and a wash-house adjoining it—there is about half an acre of garden—the privy is in the wash-house, adjoining the bed-room—you can go from the parlour into the little kitchen into it, and you can go into the garden to get to it.

Q. You mentioned something about what the prisoner said about a drawer, do you mean to say he said that? *A.* Yes—I recollected that in my statement at the time I was at Hatton-garden at my last evidence—I think I recollected it at the time I was at Hatton-garden—I am certain I did—I have been twice to Hatton-garden—the first time was on a Saturday—the Saturday after Mr. Templeman's body had been found on the Tuesday—I did not recollect it when I first went—I do not know any thing of this little mahogany box—I am not positive that I ever heard of a mahogany box—I think, but I have never mentioned it, because I was not positive of hearing of it—I can read—I have read an account of this in the newspapers—I read the newspapers between my first and se-

cond examination—I did not read any account of where the money was kept.

Q. On your oath, did you not read in the newspapers where the money was placed? *A.* I have read the papers, but I speak from the words Gould named to me, that the money was in the drawer—I have no recollection of reading in the papers where the money was placed.

COURT. *Q.* What did you read the newspapers for, was it to refresh your memory? *A.* No.

MR. CHAMBERS. *Q.* Was it a Sunday paper you read? *A.* I have read the "Dispatch" once, but not the whole of it—I think I read it the Sunday after my first examination—I do not know that I did—I am not certain that it was the Sunday after, because in our business I catch hold of a paper, and lay it down again—I did not read the whole account of the evidence—I had not the opportunity of doing so—I might read part of it—I recollected about the drawer after I had been to Hatton-garden on the Saturday.

COURT. *Q.* Had you mentioned about the drawer till you read the "Dispatch?" *A.* No.

MR. CHAMBERS. *Q.* How old are you? *A.* Twenty-seven—the last time I lodged at Allen's is about seven weeks back—I left Allen's to go to the situation I am now in—I was lodging there last Christmas, and Gould lodged in the same house—he did not lodge there at Christmas—he was at place—he had been at place a week or two, at Mr. Bartlett's, the Barnsbury Castle public-house—I was living there alone at Christmas—I knew Mr. Templeman's cottage, and the window, but never took particular notice of it—I cannot say whether it was a whole window, or whether there was any thing the matter with it.

Q. Were you aware that in the conversation you say took place a robbery was intended? *A.* Yes—I understood his intent was to commit a robbery—it was mentioned only in my hearing— I did not suppose any violence was to be done to the old gentleman—I understood him to mean by "a right one," somebody to assist him, that he could depend upon—I understood there was to be a robbery only.

Q. Were you shocked at it? *A.* Why, I took very little notice of it—I named it to Squires when I went round at nine o'clock, and said I did not know whether it was intended or not—Squires lives at the Two Brewers public-house, the next house—I did not name it to any policeman—Squires said he did not think if he had any intention he would have named it—Squires is not here.

Q. Did you think it was a joke? *A.* I did not think he was joking—I took no notice of what he said, till I named it to Squires at nine o'clock, and neither of us took notice of it—it never entered my mind till I read—till I heard of the murder.

Q. Why name it to Squires if you thought nothing about it, and if you did think any thing about it why did you not name it to a policeman? *A.* I named it to Squires, and it did not enter my mind afterwards till Squires told me he had read in the paper of a murder, and I read of it when I got home—I first heard of it on the Wednesday—Squires had read the paper, and named it to me—I do not know James Rogers.

MR. BALLANTINE. *Q.* You have been asked about a cash-box—had some charge been made against you about it? *A.* Yes—only suspicion—I think I was in custody a week—I was afterwards discharged by the Ma-

gistrate—I did not come to trial upon it—except on that occasion I have never been in custody in my life, and I never had any charge of dishonesty or theft of any kind made against me.

Q. Did you give evidence in this case of your own accord, or were you called on to do so? *A.* I had not time to come over—I sent word over to Mr. Allen on the Wednesday, about an hour after Squires made the communication to me—I went before the Magistrate on the Saturday—one of the officers called on me—that was after I had made the communication to Allen—I stated at the office all of the circumstances as near as I could recollect—I never had any quarrel with the prisoner—I had always been on friendly terms with him—Squires is living at this place now—(*a messenger was here sent to fetch Squires.*)

JOHN RICHARD JOHNSON. I live at No. 7, Dorset-street, Spitalfields, and am a print-colourer—I colour caricatures, and principally religious prints—that is the way in which I get my living—I have known the prisoner between four and five years—I saw him on Friday evening the 13th of March—I left off work about half-past seven o'clock that evening, and when I came down stairs there was a person in the passage inquiring for *Jem*—I did not see him—I heard him, and when I came down in the passage the woman below said *Jem* was not at home, and then I saw the prisoner "Arthur Nicholson"—that was the name he gave me—"a private in the 11th Light Dragoons, Canterbury"—the prisoner was present when I wrote this paper I have in my hand—that if ever he should be tried as a deserter, I might know his right name—he gave me this, as near as possible, twelve months ago last December—he desired me to write down his name that I might know if he was ever tried as a deserter, he was the man—it is my handwriting—he saw me write it—I put it into the drawer, and there it remained till this occurrence took place—when I saw him in the passage, I said, "Dick, how do you get on?"—he said he wanted to see *Jem*—I asked him what he wanted to see *Jem* for—he said he wanted to see him, for he wanted to borrow a *screw*—I asked him what for—he said he was going to *serve* an old gentleman in a lonely cottage—I told him he had better not do any thing of the kind, if he did he would be sure to get transported—he told me he might as well be transported for that, for if he was taken as a deserter, he was sure to be transported—at the end of that conversation, a fight took place at the bottom of our street, and I and the prisoner went down together to see it—seven or eight rounds were fought—the police came up to disperse the mob, and I and the prisoner returned back again about as far as our door, and I wished him good night—he said, "You had better not go yet, for I want to see *Jem* very particularly"—I asked him what he wanted to see *Jem* so very particularly for—he said he wanted a *darkey*, that he had left there some time ago, and it might be handy—I told him if he wanted to see *Jem* so very particularly, he had better go over the way to the public-house—he said he could not go over the way, for he had no money—he further stated, that if he served the old gentleman, as was his intention on the Saturday, he was going over the water to see his aunt or cousin, and would give me a call on Sunday, and let me know.

Q. Let you know what? *A.* Whether he had robbed the old gentleman, I suppose—that is the inference I drew from what he said—he did not say he would rob him—he said he would call on Sunday and let me know.

Q. You have said he spoke about a *screw* and a *darkey*, what is meant

by a *screw*? *A.* I cannot tell, only from what I have been in the habit of reading—I have read "Bell's Life in London"—I know what *screw* means according to the *defamation* I have heard in the book—according to the *defamation* I have read in "Bell's Life in London," it means a picklock-key—I bid the prisoner good night, and we parted—I saw no more of him—I afterwards saw an account of the murder at Islington in the newspaper, and the day after I gave information to a policeman of the H division—that division is in the neighbourhood of Spitalfields—I then stated what I have to-day, I believe, word for word—I was examined before the Magistrate, after recognising the prisoner—I was taken by a policeman to be sure of him—Waddington the jailer said, "You are to recognise the prisoner"—I believe I said "Yes," and I pointed to him, and said, "That is the man."

Cross-examined. *Q.* How long have you known Gould? *A.* Between four and five years—that was as near as possible my first acquaintance with him—I only knew him then as *Dick* or Richard, nothing further—that was at Mr. Webber's, at the public-house at the corner of our street—I never inquired his other name—I should say I knew him three years as *Dick*.

Q. Where was he living when he got you to write this card? *A.* Why, I gave him a lodging, to tell you the truth, at No. 7, Dorset-street—I have not known him up to the present time—he has been absent some time—I have not seen him but once previous to the Friday, for eight or nine weeks—that was at the Weaver's Arms public-house—*Jem* is a party who had moved in below me—his name is James Rogers—he had moved in very likely two months—it is not my house—I am only the tenant of one apartment—I have known Rogers, I should say, fourteen or fifteen years—it was not by my introduction that he came into the room below—if I had had the letting of the house, I would not have let him in at all.

Q. You knew him too well? *A.* No, I never knew any dishonest action of the man—he is a labouring man—he has only a small apartment at 1*s.* 3*d.* a week—he gets his living among the wharfs, on board the barges, to carry flour or corn, or any thing on shore if barges come up, and if they wanted any body to unload them, they would as lief employ him as any body—he may have regular masters for any thing I know—I do not know that he has.

Q. What has he been during the fourteen or fifteen years you have known him? *A.* He got his living by going about buying and repairing old umbrellas, portering, or any thing like that—I do not know whether he comes in at good hours at night—he never lived in the same house as me before—I had no objection to having him in the same house, but I have not the letting of the house.

Q. Why should you object to let him the house if you had the letting of it? *A.* Because he is a man so often out of work, and could not afford to pay his rent—I have been in business about twenty-four or twenty-five years, not always colouring religious prints, but latterly I have done them—I have done some thousands of prints for Mr. Fairburn, No. 110, Minories, principally religious prints—I have occasionally done maps, plans, and charts—that is the only trade I have been in—I never kept a shop—I have been eleven years in my present lodging—I have a wife and family living with me—I have three children out of eight—they live as well as they can since my work has been stopped—my work has been stopped since this fatal occurrence—I have had one little job since.

Q. Why could you not colour prints notwithstanding this? *A.* On account of my giving evidence—it got into the newspapers, and my master stopped the work—I suspect so—I do not buy and sell things at all—I never did to my knowledge—I bought this coat the other day, and I might sell it to-morrow—I bought every thing I have got on.

COURT. *Q.* Do not answer in that foolish way—did you ever buy and sell to make profit? *A.* Never.

MR. CHAMBERS. *Q.* You never bought any thing? *A.* No, it was never said that I did—I was never charged with buying any thing—I was never in any scrape about a robbery, I am certain—I will tell you, the prisoner and I were together at a public-house, a man charged me with robbing him of a shilling, and the prisoner went with me to the station-house, and offered the man 5*s.* to let me out—I was not let out—the man came between one and two o'clock in the morning, said he had found the shilling, and wanted the man to discharge me, but he said he could not, as the charge for felony was signed—the man never appeared afterwards—it happened at the Bluecoat Boy public-house, in Dorset-street, within a door or two of my own house—the man was a butcher—I have known him in the neighbourhood for years—that is not quite two years ago, I think—I was once locked up for being drunk and disorderly—I have never been in any difficulty about other people's property, except about the shilling.

Q. When the prisoner said he was going to commit a robbery, did you endeavour to persuade him not to do so? *A.* I said if he did he would be sure to be transported—I did not endeavour to persuade him not to do it—I did not believe him—I understood what he meant by a *screw*, by reading "Tom and Jerry" and "Bell's Life"—I have seen that expression in "Tom and Jerry" many times—I have borrowed the book once or twice.

Q. If you thought he really meant nothing, how came you to tell him he would be transported if he did it? *A.* Why he would if he did it.

Q. I thought you considered he was in fun? *A.* I did not think he was in much fun—I did not think he was in earnest—he has laughed and joked with me many times before.

Q. Did you really think him in fun or earnest? *A.* I should firmly believe now that he did mean it, but I did not believe he meant it at the moment—I should sooner say he was in joke than in earnest.

Q. Why persuade him not to do it, then, and tell him he would be transported? *A.* I said if he did it he would be transported.

Q. Now, while you were pausing to give me an answer, did not you hear what that gentleman (Mr. Ballantine) said—did you not give me your answer after hearing what that gentleman said? *A.* I did not hear what he said, I did not hear him speak—I could see his lips go, that is all—I did not shake hands with the prisoner when I parted with him—I have shook hands with him many times—I did not see *Jem* that night, nor tell him he was wanted—I left the prisoner at the door when I bid him good night—I did not go up to my own room—I came back between eleven and twelve o'clock, I believe—I do not know whether *Jem* was at home—I did not see *Jem* at all before I read any thing in the newspapers—he was in the back-room, I suppose—we have to go down the cellar into the yard, and there is the back-room there—I saw *Jem* once before I read the newspaper—I think he came home as usual.

MR. JONES. *Q.* Had you any other reason for not liking to have *Jem* in the house except his poverty? *A.* That is all—I have never been in custody except on the occasion I have mentioned.

Q. You have been asked whether you believed the prisoner was serious when he said he was going to commit a robbery; did you believe it at the time? *A.* So many jokes have passed between me and him, I did not know how to take it—I believe it now, from what has happened.

COURT. *Q.* What time was it he came to you? *A.* About twenty minutes to eight o'clock, as near as possible—at half-past seven o'clock I sent my wife home with three hundred prints—I had just got my coat and shoes on and came down, and judge it to be that time—he was with me altogether about a quarter of an hour—he left me before eight o'clock—as I passed the station-house to go into Church-street, the bells struck out eight, that was the moment I had parted with him—I did not see *Jem* during all the time I was with him.

JAMES ROGERS. I live at No. 7, Dorset-street, Spitalfields—I am an umbrella maker by trade, but I do not follow it—I work at the water-side as a labourer—I have known the prisoner about five years, or it may be six, by the name of Richard or *Dick*—on the 13th of March was the last time I saw him, *barring* seeing him at Hatton-garden—I saw him at my door, where I live, when I was going home between eight and nine o'clock in the evening.

COURT. *Q.* Between eight and nine o'clock? *A.* Yes—I believe I once said a quarter before eight o'clock—I now say it was between eight and nine.

MR. BALLANTINE. *Q.* Where were you standing? *A.* I was coming home, and he was standing by the window as I was coming, just between the window and the door—the first observation he made to me was, "*Jem*, you are just the *chap* I want to see"—I said, "What do you want to see me for?"—he said, "I want for you to lend me two *screws* and a *darkey*"—I should say he meant skeleton keys and a dark lantern—I said he might as well ask me for a £500 note as to ask me for such things as them—nothing else was said on that subject—I said I had no money for beer or else I would treat him, and he said he had none—my brother-in-law was along with me—he had not been with me all the time—he came up along with me when I came to the door, but I don't think he heard any thing of what he said, but I cannot say whether he did or not—I said to my brother-in-law, "*Bill*, you *stand* a pot of beer"—he said, "I have not got any money without going home to fetch it, but go over to the public-house, call for a pot of beer, and I will come and pay for it"—we went to the Blue-coat Boy public house in Dorset-street, and had a pot of beer; my brother-in-law paid for it—I once kept an old iron shop—that was while I was acquainted with the prisoner, and he knew it.

Cross-examined. *Q.* Where was it you kept the old iron shop? *A.* In Little Paternoster-row—I did not keep the house—I had the lower part nine or ten months, then necessity compelled me to leave it—I sold locks and any thing in that way—I bought and sold old iron, and sometimes bottles and rags, not any thing that came to hand, because there might be things that came in a different sort of way—I was very careful of what I bought—I used to go and collect things—I mostly bought in Petticoat-lane—I have never been in any scrape arising from the old iron shop, not at all—I was never taken up—if I were to say I never was in any prison, I should say false—when I was a boy I got a month for sleeping out in the open air—

that is seventeen or eighteen years ago—I was in no business then—I was sent to Coldbath-fields for a month—I cannot recollect any thing else—I became acquainted with the expressions *darkey* and *screws* by reading "Bell's Life" newspaper—I don't know whether Johnson reads it—I am sure I have seen those expressions in "Bell's Life"—I never read it in "Tom and Jerry"—I do not know that I ever took up that paper—I have known Johnson, I suppose, about ten years—he lodges in the same house as me, with his wife—he has got three or four children I believe—I very seldom go up into his room—I believe he was a print-colourer when I first knew him—I may have been up in his room two or three times.

Q. How long before Gould visited you had you seen Johnson? *A.* I suppose not for a month—I go in and out of the place—I live down stairs—I have not lodged there altogether, I believe, above four months—I have seen Johnson out of the house, but not above once in the house to my knowledge—my brother-in-law's name is William Crane—I found the prisoner standing between the window and the door—Crane was with me—he went home to get the money, returned and paid for the beer, and then retired to look after a sweetheart of his—he was standing within a yard or two till he went away to get the money—the prisoner did not whisper—he spoke loud enough—Crane might or might not hear it—I cannot say—I dare say he might—I had no notion what the *darkey* and *screws* were wanted for—I never gave it a thought—there had been no *darkey* left with me—I did not see Johnson at all that night—I do not think I saw him at all after, till I had been up to Hatton-garden—I am not positive of it—he and I had no conversation—I never kept such things as skeleton keys when I was in the iron trade—nothing of the kind, nor *darkeys*—when I first knew the prisoner he was pot-boy at a house at the bottom of the street.

Q. Did you think there was any thing wrong in asking for these? *A.* I did not give it a thought whether there was any thing wrong or right—I did not trouble my head about it—I passed it by as a joke—I get my bread by the water-side when I am in employ—I do not work for any body in the umbrella business—I work for myself, but I am an occasional man in the other job—I had a job on Saturday—I sometimes go out very soon in the morning, and work from eight or ten o'clock in the evening till twelve o'clock, when we are landing ale, and such things—I was examined at the police-office.

MR. BALLANTINE. *Q.* Were you compelled to go before the Magistrate, or did you give evidence voluntarily? *A.* I saw it in the paper, and I went up to Hatton-garden the same day, but there was no Court then—it was not the same day I saw the account of the murder, but the same day I saw my name in the paper—that was on Monday, and I went up the same day, but the examination was not on—it took place the next day, and I attended and gave evidence—I stated all I knew—I have been on friendly terms with the prisoner, but I have not seen him above twice for two years.

COURT. *Q.* When you went to be examined you knew Johnson had been examined? *A.* I was told he had been the week previous, but I did not see Johnson till after I had been examined—I think I saw his examination in the newspaper before I was examined, but I will not be positive.

RICHARD SQUIRES. I am waiter at the Two Brewers public-house, George-street, Horsemonger-lane, and have been so four years. I know

the prisoner, but no more than by seeing him three times in my life—I saw him last, I think, on the 17th of March—he came over the water to see Wright—it was on the Thursday evening, to the best of my recollection—I cannot swear whether it was Thursday or Friday—it was about half-past eight o'clock in the evening, or it might be nine o'clock—I saw him close by where Wright lives, at the Duchess of Kent public-house—he was not with Wright at that time—I know Wright by seeing him, and drinking with him now and then—we drank together that evening, me, Wright, and Gould—I left first, I believe, but the other two went away directly—I went home.

COURT. *Q.* And went to bed? *A.* After I had done my business—I had to wait on the company in the tap-room—I did nothing more—I saw Wright again, I believe, that night, at the Duchess of Kent public-house, where he lives.

MR. BALLANTINE. *Q.* Had you any conversation with Wright when you saw him again, if you did see him? *A.* I do not know whether it was the same evening or next morning, it might be next morning he saw me, and we might stop and ask how we got on, and he brought it up about *Dick*—he mentioned *Dick's* name.

COURT. *Q.* Who came for you to-day? *A.* I do not know his name—he said I was wanted here—he did not mention for what, to my knowledge—he did not tell me what I was wanted for—he said I must come to the Old Bailey, or something of that sort—he said he wanted me along with him—he did not say what about, nothing at all.

Q. Do you mean to swear you had no idea what you were going to be examined to before you went into that box? *A.* Yes, I knew what it was—I was up at Hatton-garden before, but my evidence was of no use—I was not examined—I stated what I knew, and it was of no use.

Cross-examined. *Q.* You stated what you had got to say, and then you were sent away? *A.* Yes—I came here to-day in a *cab*, with one of the servants, I expect, from this office—he found me at the Two Brewers public-house—I had very little conversation with him in our way—I have not seen Wright here to-day—I heard him examined at Hatton-garden the last time—he and I have talked about the matter since—we have sat together and talked—I was at Hatton-garden the last time he was there, on Tuesday, a week ago—I had never been there before—when I went up I found Gould standing near the Duchess of Kent public-house—Wright was not there then—he came up about half a minute after I met Gould—I cannot say what was said while we were talking together, nothing very particular—we drank a pint of porter, or whether it was a pint or a pot, I cannot say—we drank it at the opposite corner to the Duchess of Kent, where Wright lives—I mean outside the Duchess of Kent—we were about three minutes together there, it might be four—we did not talk much—we continued drinking till the pot was out—no one paid for the beer at that time—we had beer out with us from my house and from the Duchess of Kent—I was carrying beer out—I cannot say whether the pot was taken out of my beer or out of Wright's—we must have paid for it when we went home—I paid my mistress for mine—I cannot say how much was drank—I cannot say whether it was a pint or a pot—I cannot swear whether it was my master's beer, or Wright's master's, that we drank—I might have paid my mistress for it—I paid for all I brought out—I cannot say how much I paid her—no money was produced by any body while we were drinking—nothing was said about money,

to my knowledge—I believe, when I saw Wright he was coming along with his porter—I was talking with Gould.

Q. When they saw each other, did they ask each other how they did, or what was said? *A.* No, it appeared they had been together before—Wright might have said, "Halloo"—I do not know that he did—I cannot recollect any thing that was said—it might have been half-past eight or nine o'clock—I should say it was half-past eight o'clock, as near as I can recollect, because I was out with my porter—I go out with it at eight o'clock, and I was just going home—I might have some porter left—I generally have—I cannot say whether I had or not.

Q. Did you toss for any porter? *A.* We might have tossed, I do not recollect tossing—we might have been a pint each, or *stood* a pint, either one of us—I have no recollection whether we tossed, or whether we were a pint each, or whether one of us was a pint—I cannot say we did not toss—we might have tossed, and I forget it—I immediately went in, and was waiting on the customers after that—I came out again that night—I might come out with beer after that—that would be at nine o'clock, if it was half-past eight before—if it was after nine o'clock I did not come out—I do not sleep in the house—I sleep with my wife, in St. George's-court, Dover-road—it might be twelve o'clock when I went home—I cannot recollect when I went home that night—I cannot recollect who I saw when I was going home.

MR. BALLANTINE. *Q.* You were taking out beer for your mistress—what is the method? do you account for the number of pots you take out? *A.* I have to pay for all the porter I take out every day—I never return any—I pay for all every night—the person who came to me this morning did not produce any thing, but had a *cab* for me to ride over—I live 200 or 300 yards from the public-house I work at—I cannot swear whether I left that night before or after the house was closed.

CHARLES ALLEN. I live at Wilson's Cottage, Pocock's-fields: I am a boot and shoemaker—I have seen Mr. Templeman's house since his death, but not before—I know it now—I should say it is between 300 and 500 yards from where I live—I have known the prisoner, as near as I can tell, about twelve months—he has lodged at my house several times—I cannot possibly state when he commenced lodging with me the last time—he lodged with me at least seven nights before this occurred—I know he had very little money, if any, before the 16th of March; and I was confident, from circumstances which occurred, that he had no money—when he has come home of an evening he has said he had no money; and I considered by his getting up of a morning, and not having breakfast before he went out, that he had none, for few people like to go out without food, if they have money to purchase it—on the Saturday night before this occurred he had none, because he made an observation when he came into the house that he had no money, but he should have some in the course of to-morrow, which was Sunday—on the Monday morning following that Saturday, I think he went out between eight and nine o'clock—he had no breakfast with us before he went out that morning—I believe he was dressed something similar to what he is now, but I cannot positively swear whether he had that coat or a jacket on—as far as I can tell, I believe he was dressed much as he is now—he had on a pair of shoes, which I made—I did not make them for him—they were misfits, but I sold them *to him*—they were ancle-shoes, similar to what I have on now, shoes the leather of which comes above the ancle—they had nails—I saw Gould

ailing them about a fortnight before—they were then getting the worse · wear, still they were wearable—I had seen them every day on his feet—at ie time I saw him nailing them they were fit for wear, I am certain, and ould have lasted much longer for nice fine weather than for wet—I have o recollection whether he went out alone or in company that morning—· have no recollection of seeing any body before he went out—the next me I saw him was, as near as I can tell, on the Tuesday morning about hree o'clock—I was then lying in my own bed, and my wife likewise —he came into the house—it was very light at the time, the moon shining —it was the lightness of the moon—the instant he came into the house ie went into his bed-room, as the door opens into the room—he opens his ed-room door and closes the front door while he passes to his bed-room —my wife said to him, "Richard, it is early," or "late," I am not sure which, and his reply was, "It is early"—nothing more passed—the next time I saw him was, I believe, between eight and nine o'clock on the Tuesday morning—we have no clock to judge the time, but as near as I can tell I saw him between eight and nine—I got up between six and seven—he got up between eight and nine—I was in my sitting room—he came into it, passed through, and went to the wash-house—the wash-house leads to the privy and to the back-yard—he remained in the wash-house, as near as I can tell, from twenty-five minutes to half-an-hour—when he came out of his bed-room he had his coat and waistcoat on his arm, and I believe his boots in his hand, but I am not certain whether they were on his feet or in his hand—when he returned, he came through the room where I was sitting at breakfast, and went out at the front door—he went straight from the wash-house to the front door and went out—I observed nothing particular about him when he went out—I believe he had on the same clothes he has now—he had on the same shoes as I had made him, but they were blacked—when he was in a situation he blacked them every morning, but not at other times—how he got the brushes to clean them I do not know, but the brushes were in the back place when he was gone—they were my brushes and blacking—if he used it, it was my blacking.

Q. Can you tell whether, on this night, he used any candle or rush-light to go to bed? *A.* I never saw Richard have a candle in our house all the time he was in it, unless he asked for such a thing, and that was very seldom—if he wanted one it was merely for a minute to get something out of the room, and he was supplied by our candle which stood on the table—I have not found any candle or rush-light about my premises since that night—he returned about a quarter past seven o'clock on the Tuesday evening, much about that time—I had heard of the murder about half-past ten, or near eleven o'clock—when the prisoner came home I was gone to fetch a pint of porter and a rasher of bacon for supper—when I returned he was sitting in my room talking to my wife—the conversation when I came into the house was, I believe, on the subject of the murder—the first time, I believe, I spoke, or Richard spoke to me, was, "It is a shocking thing: do you consider he could not have done it himself?"—the reply I made was, "Richard, how could it be possible for persons to do such things themselves, having their hands tied and their eyes blindfolded; is it likely?"—that is all the conversation I remember between Richard and me, till afterwards—he was sitting at the table a few minutes after, then got up and went into the back place—he went through the wash-house, as if he was going to the privy —he said his inside was out of order, and he went out at the door as if

going to the privy—he did not remain there more than six or seven minutes —I mentioned to my wife a circumstance which had occurred, and when he came back and sat down I was eating some bacon on a piece of bread—I cut off a piece of bacon—it fell on my knee, and went a contrary way to him—I then cut another piece, and it went towards his legs—I did it purposely, to satisfy myself of something I thought concerning him, that he had got a new pair of shoes—I had a suspicion that he knew something about it—then I did a thing which I have no doubt he understood, I took the candle off the table, and put it between his legs—he directly put up his legs and hid his shoes behind the legs of the chair, and then began the conversation—he said he had been over the water to see his cousin, who had a pair of shoes which did not fit him, and he had jumped into them—before that, he said he should like to have something to eat, and asked if I would go and fetch him a slice of bacon and a pot of beer—I said, "Richard, why not go yourself and fetch it?" —he said, "You know I don't want to go out"—I knew that there was an assault warrant out against him—I fetched him a slice of bacon, a pot of beer, and half-an-ounce of tobacco—he gave me 1*s.* to pay for it —he said he had been over to Clapham, Limehouse, Blackwall, and that way, and called on his cousins and aunts, and they had given him some money—he did not say how much—after I had fetched the beer we had some conversation respecting the preceding night, what a shocking, dreadful affair it was, how any body could have committed such a horrible crime—it was no more than common conversation respecting the murder—the conversation took place chiefly with my wife—I did not pay attention, my attention was engaged at that time—I recollect asking Richard how it was he was so late—he said he had been to Mr. Frimley's till twelve o'clock, and when he came from there he lit on some friends who detained him—I should say he was in bed before nine o'clock on Tuesday night, or about that time—when he had gone to bed, in consequence of suspicions I entertained, I bolted him in—I did not give information at all—the policemen came at eleven o'clock that night, as near as I can tell, and took him—I had at one time a cheese-knife in my possession, which I have since found—I had also a piece of wood in my possession—I believe it was plum-tree or damson, rather better than a foot and a half long, and about two and a half inches wide, with sharp edges, and flat—it was very smooth—the edges were sharp—it was to set seams with—it is a heavy wood—I used it in my business.

Q. Have you told us all the conversation, as far as you recollect, that took place between you and the prisoner on the subject of the murder? *A.* As far as happened, except part that my wife was speaking to him—there was a conversation on Scripture—I recollect in one part Richard said, if the ten commandments were just, or the Mosaic law was right, he had broken them all, for adultery he had committed many times, and drunkenness—and then that conversation dropped with me, and went on with my wife—I got up to go into the yard—that was at the time we were talking of the murder—it was all in the same conversation—I saw some money produced in a stocking at the station-house at Islington—neither the money or the stocking was my property—I believe one farthing was all the money in the house at all that day—I have never been in the habit of keeping money in the wash-house or privy—we have not had any to do it.

Cross-examined. *Q.* Were you present during all the time your wife

was in conversation with the prisoner that evening? *A.* Certainly not—I went to fetch some beer, therefore I could not—I went to fetch the beer and bacon after he came home—it was not his bacon I cut when I discovered his shoes, it was my own bacon—I did that while the prisoner was sitting at the table, before I went to fetch his bacon—I believe I ate my own supper before I fetched his.

Q. At that time had there been any conversation about the murder? *A.* The conversation might have been about the murder, but I took very little notice of any of the conversation, therefore am not bound to answer the question.

Q. Now I ask you to answer the question, had any conversation taken place about the murder before, as you say, you cut the bacon, and saw his new shoes? *A.* I have already answered that the conversation when I entered the house was on that subject, but I paid so little attention to the conversation between my wife and the prisoner, that probably I could not utter fifty words of the conversation the whole evening, unless the prisoner spoke to me—I mean, I could not utter fifty words of the conversation between the prisoner and my wife, except I had the leading point to lead to it, named—there was a good deal of conversation between him and my wife—I had some suspicion at the time I discovered the new shoes—I cannot say whether it was after that that I went and fetched the bacon for the prisoner—I believe I had eaten my own supper before I fetched it, but I will not swear it—I am not confident whether the bacon was cooked before or after.

Q. At the time you went out to fetch the bacon, had you any suspicion as you have stated? *A.* Certainly I had at the time, and before—I had before he came into the house—I fetched it from a person of the name of——I cannot recollect—it was about a hundred yards off—I was absent about ten minutes or a quarter of an hour—on my return I found the prisoner sitting at the table in conversation with my wife—as soon as his bacon was cooked he had his supper, smoked his pipe, and went to bed—when I bolted him in his bed-room I said, "He is in, he shall never come out any more by me"—if my face had been towards him I think he may have heard that, but my back being towards him, he might or might not—it is a question I cannot answer—I never bolted him in before—I have merely put the bolt to to keep the children in of a morning, but not bolted *him* in—the window of his room looks into the front garden—it is about two feet and a half or three feet from the ground—I cannot tell whether he paid me for the old shoes which I made him—what I have no dealings with I never answer, I left it to my wife—he paid her in part, whether she had the whole I cannot tell, I know nothing of it—I have been ill this twelvemonth, and have had very little dealings with any person whatever—I have done very little shoe-making within the last twelve months—I was once in the police—I left it, I think, eight years ago—I went after the first division that went to Whitechapel—I was in it, as near as I can tell, a year and four or five months—I left it entirely of my own accord, without any complaint being made.

Q. Now, do I understand you distinctly that there was a great deal of conversation that you cannot recollect? *A.* Yes, distinctly, that I know nothing of whatever—if it were repeated, I believe, I might then tell, but not without, for I did not pay the least attention to it—I did not take any notice, very little indeed, for my thoughts were far beyond any conversa-

tion—I did not want to hold any conversation—my two children slept with the prisoner—one is about six years old at Michaelmas, and the other four years old—they were in the bed with him that night.

COURT. *Q.* Why did you bar the door, I do not understand? *A.* Because I had a suspicion he knew something of the charge—barring the door would prevent his getting out.

Q. Could he not get out of the window? *A.* That he might, but he could not get into my room, and if he had got out of the door I did not mean to go to sleep—I was not particularly afraid of him, but I did not intend that he should have gone out of my house, without he did get up—if he did get up I should have given information—it was for the public interest as well as my own.

MARY ANN ALLEN. I am the wife of the last witness. The prisoner lodged at our house, and did so on the 17th of March last—I do not know Mr. Templeman's cottage, I never saw it—I know it is but a short distance from our house—I have never been to it, but I know where it is—the prisoner has been lodging with us nearly a twelvemonth, off and on—the last time he was with us for a whole week, the only week he has been with us since he had been at the Barnsbury Castle public-house—he was with us from Saturday night till the Tuesday week, a week and two days—he did not pay me—I never received any money from him for that, because he had none—he told me he had no money many times.

COURT. *Q.* Did he not pay you at any time during the twelvemonth? *A.* Yes—the last time he came to us was the Saturday week previous to the murder.

MR. BALLANTINE. *Q.* When did he tell you he had no money? *A.* Frequently—he did not take his meals with us generally since he has been out of employ—he did not take his meals with us at all in this week, only after the Sunday—he took his meals with us two Sundays—Mrs. Jarvis brought him some bacon and eggs on the Sunday morning, as he came on Saturday night—on the following Sunday, (the Sunday previous to the murder,) he asked me if I had any breakfast, he wanted some breakfast—I did not answer him, because we had none in the house ourselves—that was between eight and nine o'clock—he said he should go over the water to his cousin's, but his handkerchief was so dirty, and I lent him a stock of my husband's—he then went out directly—he returned at one o'clock in the day—I was at home—he said he had been out, and drank too much beer, and it had made him very ill on an empty stomach—he went out, and was very sick—he came in again, and I asked him if he would have some dinner—he said he was too ill—he asked if he might lie down—I said he might, and he did so—my little boy called him up at five o'clock, for me to make the bed, and put the children to bed—he had gone to lie down in his own room—my children slept with him—he got up, and came into the room where I was sitting—he asked me if I had got any tea—I told him I had not—he asked me to let my little boy go and fetch him some, for he had taken 1*s.* while he was out—my little boy did fetch him some—he said, "I have got 6*d.* left"—he gave my little boy 6*d.*, and he fetched some tea and sugar—I made him some toast—he had his tea, and went to bed—on the following morning, (Monday,) before he got up, Mrs. Jarvis came, I think, about eight o'clock, or a little after—she came to my door and asked if Richard was up—I said, "No"—I opened the door, and she called, "Richard"—if the front door is open you can hear any body

speak at the door in his bed-room—she said, "Make haste and get up, it s breakfast time"—she then went out—she did not go into his room—he got up directly, and said, "I must make haste, if not I shall be too late for ny breakfast," and he went out—that was the last I saw of him that day —I was ill that night, and went to bed before eight o'clock—my husband went to bed at the same time.

Q. Are you able to say at what time the prisoner came home? *A.* Yes, I think it was past two o'clock, I am quite sure—when he came in I said, 'Richard, it is morning"—he said, "It is early"—he then went into his bed-room—he did not fasten the door—he had no fastening inside—on the Tuesday morning he got up at half-past seven o'clock—I had been up ever since six o'clock, and was getting my husband's breakfast—I had not gone to sleep after the prisoner came in—I was weaning my baby, and did not go to sleep any more—my baby was so restless, I got out of bed three times —it was soon daylight after he came home—it was moonlight when he came home, it was very light—I was up three times after he came in, before six o'clock, and I did not go to sleep—I began weaning my baby that day and she was very ill—I watched the morning, and I know it was towards morning when he came in—I am quite sure it was near three o'clock—we have no clock in the house—I am quite sure it was nearer three than two o'clock, but I say two o'clock.

COURT. *Q.* How came you to say between one and two o'clock before? *A.* I said "from one o'clock"—I was sure it was quite towards morning, because it was so soon daylight.

Q. That is no answer to why you should say between one and two o'clock? *A.* I cannot speak nearer than I have—I know it was soon morning, and did not go to sleep after he came in—it was very bright moonlight when he came in.

MR. BALLANTINE. *Q.* You say you were in the room at the time the prisoner came into it in the morning? *A.* Yes, in my own room—he went immediately through my room into the wash-house—there is a privy connected with the wash-house—he went into the privy, for I heard the door, and the door makes a noise—about ten minutes or a quarter of an hour afterwards I went into the wash-house, and saw him standing by the table doing something to his trowsers—I did not stand long enough to notice what he was doing—I turned away, and went into my own room—it was to the top part of his trowsers that he was doing something—he was not stooping, but standing upright—I cannot say whether he was wiping or rubbing them, or what he was doing—I did not pay attention—I do not think he was buttoning them—he did not appear buttoning them—I did not stop long enough to notice whether the privy-door was shut—he was quite out of the privy, standing by the window in the wash-house—I then returned into the sitting-room—I suppose it was ten minutes, or not quite so long, before he came in—I did not pay any attention—he asked for a towel when he came in, which I gave him, and he wiped his face with it— it might be twenty minutes from the time he went into the wash-house till he came out, or it might be longer—it might be half an hour—I heard the noise of the privy-door once, when he went in—my husband was going to send me again, as he wanted something out of the wash-house, but I said, "No, I won't go in, for Richard is doing something to his trowsers," and did not go—I do not know how long he remained in the privy—when he came out he bid me good morning, and went out—I did not pay any attention to his shoes at that time—he returned at a quarter-past seven o'clock in the

evening—I had in the mean time heard of the death of Mr. Templeman—my husband had gone out when the prisoner returned—I said, "It is well you have come in so soon to-night; Richard, I would not have left my door open any more, in consequence of the murder and robbery near me"—upon which he said, "I have just heard something about it at the Rainbow"—he had just called at Rainbow—I asked him how it was he had not heard of it before—in a few minutes after that my husband came in, and he stood by the table—he came in as I was speaking to Richard, and the conversation dropped—after my husband came in he went through my room to the privy—that might be a minute after my husband came in—it might be two, I cannot say—when he came back he said, "I don't feel very well, I suppose I am horror-struck like the rest"—he then asked my husband to fetch him a drop of beer, and he fetched him some beer, a rasher of bacon, and tobacco—while my husband was gone for the beer, I said, "This is a shocking affair, Richard"—he said, "It is; I know very little about it"—I asked him where he had been that day—he told me he had been and called on his aunt, or seen his aunt, I do not know which, and he had had good luck, and the old lady was glad to see him—and he had called on his cousin, and his cousin had a pair of shoes that were too large for him, and he had given them to him—my husband came in during the latter part of this conversation with the beer and things he had been sent out for—I put the rasher on the fire, and broiled it for the prisoner, and he ate it—we then went on talking together—I asked him where he had been over-night—he said he had been to the Rainbow public-house, that he went in with a pint, and came out with a pint—I said, "You could not have been there till that time in the morning"—he said, "I was gossipping"—that is all he said—there was other conversation—I do not know of any thing particular—he said, in speaking of his situation, "Many poor creatures like me would rather be hung than transported"—he was speaking of the difficulties he was in, that he was out of work, and in trouble, and a good deal of conversation to that effect—he had often said he had never known so much trouble as he had done this winter—I saw the stocking in which the money was found in the privy.

Q. Do know to whom that stocking belonged? *A.* I saw a pair of stockings rolled up on a box, at the side of the prisoner's bed on Monday afternoon, at the time I made the bed—I cannot say whether it was five o'clock, or what time—it was in the afternoon—it might be five o'clock—it was while the prisoner was out—I took hold of the stockings and laid them down, and thought to myself, they are Richard's stockings—I knew them to be similar to what he always wore—I washed for him—they were exactly like what he wore, and did not belong to me—they belonged to Richard—they did not belong to me, and are like what I used to wash for him—I believe them to be his—he had two pairs of stockings when I washed for him, before he went to Mr. Bartlett's—I washed for him three weeks after he went there—I had washed a pair of stockings similar to those for him, just before Christmas—that is all I know—my children's clothes were not kept in that room—nobody's clothes but the prisoner's would be kept in that room—they were two odd stockings, I had mismatched them when I washed them, I think it must have been six week before Christmas when I mis-matched them—these were formerly two pairs, and I put one stocking of one pair to another.

COURT. *Q.* But he could have rightly matched them afterwards? *A.*

e never did while I washed for him, because they came off together, and ere washed together.

MR. BALLANTINE. *Q.* Do you remember his coming home wet-footed ne day? *A.* When he was out with baked potatoes he came home wet the feet, and I gave him a dirty stocking to put on, a dry one—that is ne way they became mismatched—directly I saw the stocking in which ne money was found, I said that was the one I had seen—I knew it be-nged to Richard, and it was on the box on the Monday—I am quite are of that—I am quite sure it was the same stocking I had seen by the de of the bed on Monday.

Cross-examined. *Q.* Who washed for him when he returned to lodge with you for the week? *A.* I do not know—his dirty things were not ent to the wash—I never saw any in the house—they were not put up in bundle—none of his things were put up in a bundle—I never said any hing about a bundle—I never said I opened a bundle, to ascertain whe-her they were two stockings, or odd ones—I have no recollection of say-ng any thing about the stockings being in a bundle—they laid folded to-ether on the box, one turned over the other, rolled up, and the one pro-uced to me was the one which laid outside—they were rolled up in a undle, the same as a clean pair of stockings—I did not unrol the bundle —they were rolled up in the ordinary form of a pair of stockings, one oubled over the other—the one the money was produced in was the uter stocking—I did not unrol them at all on the Monday—I took them in ny hand—I do not know who washed for him then—there was no mark on he stockings—I do not think the prisoner had been out of place above a ortnight when he came to lodge with us the last time—he came and had night's lodging now and then—I do not know how long he had left Mr. Bartlett, of the Barnsbury Castle public-house, when he came the last week—when he was in employment he paid me 2*s.* a week—we never made ny agreemnet this time—I knew he was out of emyloyment and never asked him for any thing—if he had got any employment I should have ex-pected the same weekly sum—he did not board with us—it was the Sunday norning after the Saturday that he came that Mrs. Jarvis brought him ome bacon and bread for his breakfast—it was on the Monday morn-ng she came and called him to come to breakfast—he was in bed, and he was outside the house—it was after eight o'clock, it might be ten minutes after eight—he owed us some money for his former lodging—he often asked me for an account, but as he had no money I never gave it im—I never cast it up—it might be 1*l.* or more, if I cast it up, because I often let him have his dinner, and any thing of that sort—he told me, several times during the week, that he had no money—he told me he was in great difficulties, and was without money—many times he men-ioned the subject.

Q. You have ventured to say now that it was past two o'clock, were you always of that opinion? *A.* Yes, always of opinion that it was towards morning—I was always of opinion it was past two o'clock when ne came in—I am quite sure it was after two o'clock, according to the time it was daylight afterwards—to the best of my belief it was after two o'clock—I cannot say whether I was certain of the time when I went to the police-office, as I was very much flurried and ill.

Q. Did you not believe, when at the police-office, that it was between one and two o'clock? *A.* Certainly it must have been two o'clock from

the time it was light—I think it was two o'clock—I believed it was two o'clock, because it got so soon daylight, but I had no clock.

Q. Since you have been at the police-office, have you conversed with your husband about the time he came home? *A.* My husband said, when he came home, "Mary, Richard did not come home till morning"—I believe my husband did not speak when the prisoner came in, because I spoke—I did not ask my husband whether he was awake, nor did I speak—I was out of bed three times to nurse my child—the prisoner got up between seven and eight o'clock next morning, and went through the wash-house to the privy—there is a catch to the privy-door—it is what I term a night-bolt—it shuts and bolts—there is another entrance to it from the garden—if the door is shut you must go through the wash-house—if the door is open you can come in that way—the bolt is in the wash-house—it is the wash-house-door bolt—the privy-door was off its hinges at that time—the privy joins the wash-house, and when in the privy you can go out of the privy into the garden—you cannot get into the wash-house without the door is left open—you can get to the privy, through the wash-house, without going into the garden—the privy has two doors—the door leading to the garden was off its hinges at that time—I heard of Mr. Templeman's death, I think, at twelve o'clock in the day—I had been out—my husband went up, and he told me all the particulars when he came home, of the old gentleman being murdered—I cannot remember whether he told me any thing about the state he was found in on the floor—I knew all about it, and began to talk to the prisoner about it before my husband came in—when he came in he broke upon the conversation.

Q. Was his going for the bacon and beer the only occasion when your husband went out that night? *A.* Yes—with the exception of that interval he heard every thing that took place—when my husband said Richard had got a new pair of shoes, I said, "I think not, I think he has blacked and shined his old ones"—he said so to me the moment Richard walked across the room, while he was gone to the privy—when he came back from the privy he asked my husband to fetch him a drop of beer, and I believe he went out to fetch it—I think he was eating his supper.

COURT. *Q.* When did your husband remark about his having new shoes? *A.* When he came in, he walked through the room, and went into the privy before he sat down, when he came in in the evening.

Q. I thought your husband was out when he came in? *A.* My husband was out, but he had stood talking to me by the table, and had not sat down when my husband came in.

MR. CHAMBERS. *Q.* Was it in consequence of your husband saying he had new shoes that he said he got them from his cousin? *A.* I do not know, but he said that—I did not ask him about the shoes—my husband looked at them, and so did I—I never asked where he got them—he said he had been very lucky that day.

Q. Was it not after that, he talked so despondingly as you say about being such an unlucky man? *A.* It was during the conversation.

MR. BALLANTINE. *Q.* You did not unrol the stockings by the bedside? *A.* No, I merely took them in my hand—when they brought me the stocking in, I said, "There was a pair of stockings on the box on Monday"—I am quite sure that was the outside stocking the money was tied in, and I am quite sure, by the feel of the stockings, that there was more than one.

COURT. *Q.* How could you tell there were two odd ones? *A.* I said to the policeman, "There is a pair of stockings"—the policeman found the other stocking in my room, behind the box—they were two odd stockings, and I said I had mis-matched them when I washed them.

JOHN FRIMLEY. I keep the Rainbow public-house, in the Liverpool-road, Islington. I know the prisoner—he was at my house on the 16th and 17th of March—on Monday, the 16th, he was there most part of the afternoon, and until twenty minutes before twelve o'clock at night—I did not see him come in in the afternoon—I saw him first about four o'clock—he was playing at skittles—he afterwards came into the tap-room—about a little after ten o'clock the gas was turned out in the skittle-ground, and he came into the tap-room—he remained there till twenty minutes before twelve o'clock, and then went away in company with the others that were there—there were five or six people, some of them witnesses—King and his wife, and Pizey, were there—on the following day, Tuesday, I saw him at my house between two and three o'clock in the afternoon—I saw him last at seven o'clock—he was then in the tap-room—I believe he was there after seven, but I last saw him at seven—my house is about half a mile from Allen's, and nearly the same distance from Mr. Templeman's cottage.

Cross-examined. *Q.* I suppose you generally shut up about twelve o'clock? *A.* Yes—he and his party went away in consequence of my shutting up.

ROBERT KING. I am a chimney-sweeper, and live at No. 8, Felix-street, Islington—I was at Frimley's skittle-ground on Monday evening, the 16th of March—the prisoner was playing there—he began playing about half-past seven or eight o'clock—he said, when he first came into the ground, that he only had three halfpence in his pocket, and if either of us would bet odd or even, he might have enough for a pint, but nobody betted with him—he then played at skittles for a pot of beer, I believe—he had some beer to drink—I think it was very near eleven o'clock when we came out of there—I know he did not lose any thing, because I was in the ground all the time—he did not win any money—he won beer—he did not pay any thing after playing that I heard—I went into the tap-room with him afterwards—when he first came into the ground he said he had three halfpence, and as he did not lose it he came into the tap-room with it—he bought a candle for a 1*d.*—I did not see him buy it.

Cross-examined. *Q.* How much is a pot of beer? *A.* 4*d.*—it is 5*d.* in the skittle-ground.

ROBERT PIZEY. I live at No. 17, Elder-walk. I was in the skittle-ground of the Rainbow public-house on Monday, the 16th of March, and saw the prisoner there—I afterwards went into the tap-room—I was going out for some tobacco, and when I was going out the prisoner asked me to fetch him a rushlight—he gave me two halfpence—I bought one, and gave it to the prisoner.

Cross-examined. *Q.* Did you play with him at skittles? *A.* I had a game with him—he had not his coat off when he played—when we were put out of the ground we went up to the tap-room.

MARY ELIZABETH KING. I am the wife of Robert King. I was at the Rainbow public-house on the 16th of March—I went there about twenty minutes to twelve o'clock, to fetch my husband—I saw the prisoner there—I remember the gas being turned off—the people did not all come out

together—I went out first—they came about five minutes after—I observed the prisoner particularly—he had on a fustian coat, the same he has on now—I noticed it because I saw something in his right-hand pocket—it was long, and thick at one end—it was in the outside side-pocket, like a shooting-jacket pocket—there were two pockets, one on each side, rather in front—no part of what he had was uncovered—it must have been about a quarter to twelve o'clock when I noticed it—it was at the time he was going away—I did not see Pizey go for the candle—the instrument was the length of his pocket—it was lying longways in his pocket, across the bottom of his pocket—the ends seemed to be different—I saw this in his turning his back to the fire-place—after we came out, I and my husband went one way, and the prisoner went along towards the Chapel of Esse—that is in the direction of Mr. Templeman's cottage—it was before twelve o'clock.

Cross-examined. *Q.* How many of you were there came out of the tap-room together? *A.* Mr. and Mrs. Shepherd, Pizey, the prisoner, my husband, and myself—Mr. and Mrs. Shepherd went home—they lodge at our house—we all went home together, only they got home first—I have always said I knew which way the prisoner went—I have not said, I did not recollect which way he went.

JAMES MILLER. I am an inspector of the N division of police. I apprehended the prisoner at Allen's cottage, on Tuesday night, the 17th of March, at a quarter after eleven o'clock—I found him in the bed-room, in bed with two children—I said, "Gould, Gould"—he appeared to arouse from sleep, and said, "What, what?"—I said nothing more at that moment—a light was procured, and I again roused him, and said, "Gould, get up and dress yourself"—he appeared still drowsy—I told him to get up—he then got out of bed, and on getting out of bed, he said, "Where is your warrant?" I replied, "I don't need a warrant"—he then said, "What do you want me for then?"—I said, "I suppose you have heard of the murder?—it is that I want you for"—he smiled, and said, "If I was as innocent of every thing as I am of that, I should not have much to fear"—I do not recollect his saying any thing more then—as he was packing up his clothes to dress himself, I found 9*s.* in his trowsers' pockets, all in shillings—while I was counting it, I asked what money he had, and he said 9*s.*—in his waistcoat-pocket I found seven lucifer matches, and two duplicates for a pair of trowsers and a jacket, dated, "22nd February, 1840, 2*s.* 6*d.*;" and "25th February, 1840, 3*s.*"—one in the name of Richard Gould, and the other in the name of Ann Jarvis—on the way to the station he said that a pot-boy at the William public-house had taken a warrant out against him for an assault, and it was that he supposed I was after him for—I had missed him for some time, and asked where he had been—he said, "To Norwich"—I searched him at the station-house, and took off his feet a pair of new shoes, or ankle-boots, which I produce—I asked him where he bought them—he said, in Kent-street—a constable who was standing by, said, "The Borough?"—the prisoner said, "Yes"—I then asked him what he had done with his old ones—he replied, "Thrown them away"—shortly after that, I minutely examined his clothes, and took from him this waistcoat, which he was wearing at the time—he had three waistcoats on—two besides this—this was the middle one—this waistcoat I noticed at the time was stained with blood, and it is also burnt in one particular spot, as if a cinder or a pipe had fallen on it—on my saying that the waistcoat

was stained with blood, the prisoner said his clothes had often been stained with blood—I afterwards went to Allen's cottage that same morning.

COURT. *Q.* Have you had the waistcoat examined in the same way as a bag was? *A.* No—the bag was examined, and discovered that what was upon it was not blood—this has not been examined in the same way.

MR. JONES. *Q.* Did you search the bed-room in which you apprehended the prisoner? *A.* I did, and found this single stocking there—it is a fine stocking—it was lying on a chair by the side of a box—it was dirty—the prisoner had stockings on when he dressed himself—I have examined them since—they were a pair, I believe—I did not take them off—perhaps I did not take notice enough to say whether they were a pair or not—I judged they were a pair—I did not show that stocking to Mrs. Allen—I did not search any other part of Allen's premises, except the bed-room, where I took the prisoner—I found the stocking about a quarter after eight o'clock on the Wednesday morning.

Cross-examined. *Q.* You went there about a quarter past eleven o'clock? *A.* I did—Allen opened the door to me—we were not more than a minute before we got in—Allen had no light with him—Allen sleeps in the room I first entered—I knocked at the door—he answered me from the inside, from his bed—he got out of bed in his shirt to let me in—after I had got into the prisoner's room, Allen got a light—I remained there about ten minutes—the prisoner put on all the three waistcoats—he put on every thing he had, to carry it off on his back—I opened his bed-room-door myself—I found two little children there—they were awoke by the noise—they both appeared aroused, but did not seem to know what was going on—he was sleeping between the two children—I knew there was an assault-warrant against him—I know that he occasionally fought—I have heard that the assault-warrant arose from a fight.

MR. JONES. *Q.* Did you observe how the prisoner's door was fastened? *A.* It was bolted outside—I saw the deceased while he was lying dead—I took the rope from his wrist—this is it—(*producing it*)—the noose was put over the right hand, and the other end tied to it—there was no knot tied at all—the hands were firmly bound.

COURT. *Q.* In your judgment, could that he done without two people? *A.* I think one person might do it, though the other was struggling, particularly if he was an old and feeble man.

RICHARD BRADSHAW. I am a policeman of the N division. I went to Allen's cottage on Wednesday with sergeant King, and made search of the premises—I saw King put his hand over the partition parting the privy from an out-house or wash-house, and find a stocking—it laid between the rafters and tiles of the wash-house—he stood on the seat of the privy, and reached it down—it was put over the wash-house roof—I did not see what the stocking contained—King took it away with him.

THOMAS HOBBS KING. I am a sergeant of the N division. I accompanied Bradshaw to Allen's cottage on Wednesday morning—I searched the premises, and found a stocking between the ceiling of the back-kitchen and the roof or tiles of the privy and back kitchen—I had to lean over, and put my arm round behind the rafter—seeing something white, I stood on the seat of the privy to reach it—it was by the first rafter belonging to the wash-house, placed round the corner—it is full five feet from the seat of the privy to the rafter—I should not think a short person could have put it there, standing on the seat—a person as tall as the prisoner could,

or as tall as Allen—I examined the stocking—it contained nineteen half-crowns, forty-eight shillings, and seven sixpences, making 4*l.* 19*s.* together.

Cross-examined. *Q.* When was it you went? *A.* About seven o'clock on Wednesday morning—I believe all that money has been examined very minutely, to find a particular marked shilling, but it could not be found.

COURT. *Q.* What marked shilling were you looking for? *A.* Mrs. Morgan or Mrs. Lovett stated that she had a particular shilling in her possession marked S, I think, but she did not know whether she paid it away before she gave the deceased the money or not—there is a marked half-crown, which cannot be spoken to—all the money in my possession has been very closely examined.

MR. JONES *to* MARY ALLEN. *Q.* Look at that stocking, and see whether or not you know it? *A.* This is the stocking that was folded outside—there is no mark on it that I know it by—here is the other stocking—(*looking at one*)—this is exactly the same sort of top—that I mis-matched for the prisoner when I washed for him—he had a pair of them—I washed for him six months, but not during the last time he was there—there is nothing on either of the stockings to enable me to identify them—it is merely being alike.

COURT. *Q.* There is a difference in the length? *A.* I had footed them for him, and I may have taken them up then.

MR. JONES. *Q.* When did you foot them for him? *A.* When I washed for him—I cut the feet off, and put fresh feet on—I did not knit fresh feet, I cut an old stocking up, and put them—this one has been footed—I cannot say it is my work, but I footed stockings like these—tehy have been both done—I cannot tell my own work.

Cross-examined. *Q.* You know who washes for him now, do not you? *A.* He never told me—he took the washing away—I never saw him take his things from my house, and I never saw him put any on in my house—I asked him the last time, "Richard, don't you want your things washed?"—he said, "No, I have got somebody else to wash for me"—I guess it is Mrs. Jarvis—I do not know where Mrs. Jarvis is—I never saw her, only when she came to my house for Richard, nor did I know where she lived before the murder took place—I did not know whether she lived in Great Bride-street or the Fields, I knew it was in the neighbourhood.

JOHN ELLIS. I am a painter, and live at No. 11, Madras-place, Holloway. On Tuesday, the 17th of March, I met the prisoner about a quarter after two o'clock, as near as I can guess—I had seen Mrs. Jarvis before that, at nine o'clock in the morning, near Prospect-cottages, Thornhill-road, at the top of John-street—she was going towards Islington turnpike—that is the road to town, you can go that way to it—when I met the prisoner about two o'clock Mrs. Jarvis was in his company—she had a child with her both in the morning and at two o'clock—I had not heard of the murder of Mr. Templeman when I saw her in the morning—I heard of it at one o'clock—when I met them at two o'clock I asked Mrs. Jarvis if she had been at home—she said, "No"—I said, "Well, there is a little bit of a stir at your village," (it is about a quarter of a mile from where I met them—they were going towards the cottages—I was going to work from the cottages, and they met me)—she said, "Is there?"—I said, "Yes," and then hesitated for a moment—I then said, the old gentleman,

I had heard, had been murdered—she said, "What old gentleman, do you mean, Mr. Templeman?"—I said, "Yes"—she said, "Then I will go home and see"—she then turned to the prisoner, and said, "Richard, or *Dick*, you had better not go home with me now then"—"Yes," said he, "I shall go and see what is *up*"—they then turned, and went on—I did not see how far they went—that was all the conversation that passed between us.

Richard Bradshaw *re-examined.* My attention was directed to Jarvis's cottage on the Tuesday. I watched it from about two o'clock till eight o'clock at night on the 17th—I saw Mrs. Jarvis about a quarter before three o'clock at the entrance of the cottage cutting some wood to light the fire—she had a child with her.

Thomas Bottom. I am a mathematical instrument maker. On Tuesday, the 17th of March, between half-past twelve and a quarter to one o'clock, I went into the tap-room of the General Wolfe public-house, Little Gray's-inn-lane—when I went in the prisoner was there smoking a short pipe and drinking—he had something in a pewter pot, I cannot say what—while I was there another man came in, who I since know to be Marsh—a person tapped at the tap-room window, the next window to me, where the prisoner was sitting—the prisoner beckoned the person in, and a female came in with a child in her arms—she was a young woman—she sat down in the room—she shortly afterwards went out, and the prisoner went two or three minutes after—it was about two o'clock when he went away, a minute or two before or after.

Court. *Q.* Did the people speak when they were in the room? *A.* No.

Ralph Wilcoxon. I am a boot and shoe maker, and live at No. 93, Tottenham-court-road—I consider this pair of boots produced by Miller, were purchased at one of my shops—they are marked 92 and 8, which is a private mark—the 8 is the size, the 92 is the private mark—I have seven shops, one in Howland-street, another in Tottenham-court-road, two in Oxford-street, one in Regent-street, one in Walker's-court, Berwick-street, Soho, and one in King William-street, London-bridge—I live in Tottenham-court-road—I was there on the 17th of March—my daughter resides there—she is occasionally in the shop when I am up-stairs.

Q. Now do you remember on the 17th of March, your daughter bringing you a half-sovereign? *A.* To the best of my recollection she brought me a half-sovereign to take 7*s.* 6*d.* out of it—to the best of my recollection it was between twelve and one o'clock in the day—the price of these boots is about 7*s.* 6*d.*—that is about the selling price—we might sell them for 7*s.*—I was in the Howland-street shop, up-stairs, when my daughter brought the half-sovereign to me—that and the Tottenham-court-road shop communicate—it is half a mile from there to Gray's-inn-lane, or perhaps three-quarters—7*s.* 6*d.* would be the price we should ask for the boots—92 means the cost price—if I was selling the boots I should ask 8*s.* 6*d.*

Cross-examined. *Q.* Who marks the cost price? *A.* Sometimes one, sometimes another—all of my shopmen know the mark—when my shopmen leave my service, they know it just as well, and I now know that they use it as well—I did not before—I only know one who uses my mark, that is Mr. Wright, who has a shop in Lambeth-walk, where I sold him the business and the stock; and I believe he has another shop at the Marsh-gate, Westminster-road—I now know he uses the same mark as

me—I have, I should say, 40,000 pairs of shoes in a year—I have now a stock of 40,000 for my different shops—the shoes are all made in the country, and Wright deals with the same manufacturer, but I did not know that till to-day—I have brought Mr. Wright here with me.

MR. BALLANTINE. *Q.* Do you know any thing about his goods being marked the same? *A.* Yes—I went into the shop and saw his mark.

HANNAH WILCOXON. I am the daughter of the last witness—I was in the shop in Tottenham-court-road on the 17th of March—I received a half-sovereign that day from Mr. Wills, my father's shopman—I took it up to my father to change—I did not see the half-sovereign given to *Wills.*

Cross-examined. *Q.* Was Wills serving in the shop at the time he gave you the half-sovereign? *A.* Yes—I do not know how many customers there were.

SAMUEL WILLS. I am foreman to Mr. Wilcoxon in his shop in Tottenham-court-road:

Q. Do you remember on Tuesday, the 17th of March last, any boots or shoes being bought at that shop? *A.* I cannot charge my memory with the article—the 7*s.* 6*d.* taken to him was taken by me of a customer, I do not recollect who, or for what article.

Q. Did you receive a half-sovereign in the course of that day? *A.* I can only state that from the evidence of Mr. Wilcoxson I must have taken it—I cannot trace it from my own recollection—I was in the habit of making entries in the day book of goods sold—I have the book here—(*producing it*)—but it merely mentions the price—I cannot tell who I received it from—it appears from the book that I received 7*s.* 6*d.*, not a half-sovereign.

JOHN WALTER. I serve in Mr. Wilcoxon's shop in Tottenham-court-road, and am in the habit of marking shoes—the figure 8 on this boot is not much unlike my 8—I cannot say any thing about the 92—I would not be positive the 8 is my figure—I see no mark on the other shoe—it is usual only to mark one of a pair—we may mark two by mistake—I remember seeing a half-sovereign on the counter on the 17th of March—Wills the foreman had it—I did not see who he received it from—he gave it to Miss Wilcoxon, and she took it up-stairs to her father—I do not know whether she brought any thing down.

HENRY WILLIAM SMITH, clerk to Messrs. Horton, boiler and gas-meter manufacturers, Wharf-road, City-road bason, gave the prisoner a good character.

NOT GUILTY.

NEW COURT.—*Tuesday, April* 14*th*, 1840.

Sixth Jury, before Mr. Recorder.

1281. THOMAS CHAPPLE and CHARLES KING were indicted for breaking and entering the dwelling-house of John Porter, on the 7th of September, at St. Giles-in-the-Fields, and stealing therein, 14 spoons, value 12*l.*; 1 ladle, value 5*l.*; 3 rings, value 3*l.*; one watch, value 5*l.*; 1 seal, value 2*l.*; one chain, value 1*l.*; 1 bag, value 2*s.*; 1 coat, value 5*s.*; 1 pair of trowsers, value 2*s.*; 8 sovereigns, and 3 100*l.* and 12 10*l.* Bank-notes; his property: and CHARLES CHAPPLE, ELIZA PLANT, ANN KING, HENRY COX, and SOPHIA COX, for feloniously harbouring the said prisoners, well knowing them to have committed the felony aforesaid.

MR. CLARKSON *conducted the Prosecution.*

JOHN PORTER. I am a solicitor, and carry on business in Lincoln's Inn-fields, in the parish of St. Giles-in-the-Fields—I occupy the ground floor for offices—my servant sleeps on the premises, and takes care of the house—I let the other part out in chambers. On the 7th of September last, the prisoner Thomas Chapple was acting as porter to my establishment, and his wife Sophia was the laundress—they slept on the premises, and had the charge of them when the gentlemen had left—the front room on the ground floor I occupy as my own private room—that communicates with the back room, which is the office, by means of double doors—one of them is covered with red cloth—there is a side door also from my room leading to the passage—that is within the hall doors—as you go in there are the hall doors then, a side door on the left hand to go into my private room, and then there are double doors from my room into the back room or office—it is usual to keep the hall door fast during the day, because the street door is generally open during office hours—the hall doors are fastened by a spring lock, which cannot be opened on the outside without a key—it is generally opened by means of a pulley in the office—my side door is secured by a spring lock that cannot be opened from without except by a key—no one can get to my office by the side door, unless they have a key or it is opened from within—there are two keys of the spring lock which is on the side door—one of them I kept myself, and the other was kept by Thomas Chapple, with strict orders not to admit any one but himself and his wife, to clean the room—I did not allow even the clerks in my business to go in there—on Saturday, the 7th of September I went up-stairs to dinner between twenty minutes to five and five o'clock—I should rather incline to think it was about ten minutes to five o'clock—I dined in my drawing-room, which is the room over the ground floor—before I went up I bolted the double doors leading from my room to the office, according to my usual practice—I went out at my side door and drew the door to after me, which fastened it so that it could not be got at but by means of a key—Thomas Chapple waited on me at dinner till about half-past five—I staid up-stairs altogether about an hour and a quarter—I came down about ten minutes or a quarter past six o'clock—I took the key of my room out of my waistcoat pocket, put it in the lock, drew back the lock as usual, and went in—immediately on entering, my attention was called to the door of my iron safe, which was standing wide open—I have a writing table in the middle of the room—I passed by that on one side, and saw several keys, some of which I have since understood to be skeleton keys, lying on a bundle of papers on the writing table, and a small piece of iron—I found the keys of that iron safe lying on the carpet opposite another iron safe, which had not been opened—one of the drawers of my iron safe was lying on the carpet empty—when I left the room the drawer of the iron safe contained three 100*l.* and five 10*l.* Bank of England notes, twelve table-spoons, two gravy spoons, and a soup ladle, and an old-fashioned gold watch with a double case—they were all gone—I had usually kept the keys of my iron safe in one of the drawers of my writing table, which was locked up—when I saw the iron safe open I went round the writing table on the other side, and saw the drawer where my keys were kept was open, I missed from that drawer a canvass bag containing seven 10*l.* notes, and five sovereigns screwed up together, and some loose sovereigns—I also missed a gold seal, three or four mourning rings, and a small watch

chain, which were all together in a piece of paper in the same drawer —I missed from another drawer in the same table an old pair of black trowsers, an old coat which was lying loose in the room, and a blue bag which I think was on one of the iron safes—I gave an alarm, and the servant came up—I found that Thomas Chapple was not at home—he returned in about half-an-hour—I told him what had happened—he accompanied me to the station-house at Bow-street, and the inspector returned with us—I had not at that time any suspicion of Thomas Chapple, and on my speaking to him about the robbery, he mentioned several names of persons whom he suspected—he mentioned my clerk Widdows, and a young man named Roberts, who had called at the office that morning—I mentioned to the officer what I had heard from the prisoner, and in accordance with his advice the lodging of Widdows was searched, but nothing found—in consequence of what Thomas Chapple said to me, I gave him directions to watch Widdows, at the suggestion of the officer, and on the Monday evening, about ten o'clock, he came to me, and said he had been down to Widdows—I think he said he had followed *him*, and watched him home—I at last entertained very strong suspicion against Thomas Chapple, and on the 13th I gave him into custody—Pocock, the officer, had found 7*l.* 10*s.* in gold, under a stone in the wash-house, and also on Thomas Chappell a receipt for 2*l.* 18*s.* 11*d.* and 1*s.* 1*d.* which made 3*l.*—I think it was on the Thursday before the robbery that Thomas Chapple had said he had no money, and I gave him a sovereign to pay for beating carpets and other things—when he was given into custody I told him to tell me what he knew about the robbery—he cried, and said he could not say any thing without criminating others.

Cross-examined by MR. LUCAS. *Q.* Can you undertake to swear positively that on the day of the robbery you fastened the doors? *A.* Most positively—it was my invariable custom, and I went by the red door, and fastened the bolt—it was then between twenty minutes to five and five o'clock—Thomas Chapple waited at dinner till about half-past five o'clock —it might be a few minutes later—he was to and fro waiting on me till that time—when I am up stairs no one who may call ever goes into my private room, not the most intimate friend I have—when I go out at the side-door I draw the door to after me, and it shuts itself—I found the doors fastened when I came down—I think I saw Thomas Chapple again that evening about seven o'clock—I will not be certain to a few minutes— I had my crest on my spoons—none of this property has been discovered.

Q. When Thomas Chapple cried, did he not say he could not tell you any thing without criminating *innocent* persons? *A.* No, it was "*others*" he said, certainly—he was present when the money was discovered under the stone—in consequence of what was found on his person, he was asked if he had any more money, and said he had some down stairs—he had been in my service at different times from 1833—I have known him eleven or twelve years—his wife was my laundress in my former chambers.

COURT. *Q.* Did he take you to where the money was? *A.* He took the officer there, I went with them, and it was found.

MR. CLARKSON. *Q.* From his having been so long with you, and having the key of your room, did he know where you kept your money and property? *A.* I should think he had ample opportunity to know where I kept the keys of my iron chest—he had seen me take them out of the drawer very often.

GEORGE MUSGROVE. I am a police-inspector at the station-house at Bow-street. On Saturday, the 7th of September, I accompanied Mr. Porter to his chambers in Lincoln's Inn-fields—I first examined his hall-door, the side-door, and the door leading from the front room to the office, to ascertain, if I could, by what means the robbery had been effected—there were marks of violence on the red door leading from the front room to the office, but the door had not been opened—there had been an attempt, which appeared to have been made with a small crow-bar—there was no mark on the outer door—Mr. Porter and Thomas Chapple accompanied me in my examination—I looked on the carpet in the private room to see if there was any thing lying about, and my attention was directed to that part near the door leading to the office, and there was no key lying on the carpet, I believe—I observed, in the presence of Thomas Chapple, that I could not tell how they got in, as the door had not been opened—I was then near the side-door leading to the passage, and Thomas Chapple stooped down, as though he would pick up something, and he produced this skeleton key—(*producing one*)—he said, "Oh, this is the key that opened the door"—I am quite sure it was not on the ground where he appeared to pick it up from, before he made that observation—the key has been filed, and it is broken.

COURT. *Q.* What time did you get there on the Saturday? *A.* Between eight and nine o'clock—my attention had been so directed to the carpet that I am sure there had been no key lying there—the door opens inwards, but he produced this key from beyond the sweep of the door—I tried the key to the side door, and so did Thomas Chapple—it was rather hampered at first, but it did open it—Thomas Chapple took the lock off the door, and then the lock worked easily.

Cross-examined by MR. LUCAS. *Q.* What sort of a carpet was in the room? *A.* A dark one—I am certain I must have seen this key on the carpet—I looked round with a light in my hand, and the key is bright—I had been looking for half-an-hour—when this key was applied to the lock it did not open it at first, it did afterwards.

THOMAS POCOCK (*police-sergeant F* 13.) I went to the premises on the Monday, and on the 13th I went and took Thomas Chapple into custody—he informed me he had money in the wash-house—I asked where—he said, "Let me go with you and I will show you"—I allowed him to go, and under a stone which he pointed out I found seven sovereigns and a half—it was on some wet damp soil, but the sovereigns were quite bright and clean, they could not have been there many days—I took from him this bill—(*read*)—"Mr. Chapple to Thomas Payne. Repairing boots and shoes, &c. *l.* 18*s.* 11*d.* Paid, Thomas Payne. September 13th."—I found on him 6½*d.*—I had a crow-bar that was found there, but I have mislaid it at the office—the prisoners were discharged and re-apprehended—I have got the bunch of skeleton-keys that were found on the writing-table—I am satisfied that the marks on the red door had been made by the crow-bar—I tried one of the keys on this bunch to the drawer of Mr. Porter's writing-table, in which the keys of the iron-chest had been—it opened that drawer and some others as well.

Cross-examined by MR. LUCAS. *Q.* Thomas Chapple took you to where his money was? *A.* Yes—I asked him how he came to put it in such a serious place; he said, "I am obliged to hide my money about, because my wife is a drunkard"—the sovereigns looked bright and fresh—the

place was close by the drain—I cannot say how long the sovereigns had been there, but in my opinion not long—the crow-bar was a small one and it was jagged—the marks on the door were nearly opposite the lock.

ELIZABETH GUPPY. I was in the service of Thomas Chapple and his wife, and assisted in the business of the house at Mr. Porter's. Thomas Chapple had two children—on the Thursday before the robbery I was in the kitchen down stairs with the children, and saw one of the children at one of the dresser drawers which Thomas Chapple used for keeping his papers in—the child picked a key out of the drawer—it was like one of the keys produced—Thomas Chapple was in the kitchen at the time, the child produced the key to him, and he said, "Put down that key"—the child put it back in the drawer—on the next day I went to the drawer myself to look for a bit of sealing wax, and I saw the key then in the drawer—I took it in my hand and looked at it, as it looked such a curious key, I had never seen one like it before—Thomas Chapple was then in the kitchen—I asked him what key that was—he said it belonged to Mr. Lee, up-stairs (a gentleman who had been a tenant of the chambers up-stairs, but who had left more than two years)—he said it was a little padlock key that had belonged to Mr. Lee—on the afternoon the robbery took place I was looking in that drawer for something, I forget what, and the key was not there then—I took every thing out of the drawer—on that afternoon I was in the front kitchen—there are two kitchen windows, and I could from thence see any body passing out of the doorway at Mr. Porter's—I saw the prisoner Charles King (whom I had seen once before) about half-past five o'clock, as near as I can recollect, coming down from the steps out of the passage—there are railings before the house, and the window gave me a command of the railings—he had a blue bag under his left arm—he went away very quickly—I saw him come down the steps—I could not see whether he had been inside the house, but while I was in the kitchen I heard footsteps in Mr. Porter's private room before I saw him—I had seen him once before in Lincoln's Inn-fields—I do not know exactly the day, nor how long before the robbery—I did not know his name at that time—I had been out walking with Thomas Chapple, and was going in when I saw King, and he whistled, at which Thomas Chapple nodded his head—that was all that passed—after this robbery I was taken to the prison by Mr. Collier, the officer, to see if I knew any person—I saw Charles King there, and selected him from a good many others—on Saturday morning, the day of the robbery, Thomas Chapple said he had no money, but he should have some by and by, and I thought he was going to take one of the gentleman's books for some money—he said, could I lend him him half-a-crown—I said, "No," and I did not think Mrs. Chapple had any—he said, "Oh nonsense, Mr. Porter gave her a half-sovereign yesterday"—Mrs. Chapple was present at the time—he put his hand down her bosom, and took half-a-crown from her—she was tipsy at the time (she was in the habit of getting tipsy)—Thomas Chapple then went out—I think it was about half-past twelve or one o'clock—he staid out about three hours—when he came back I told him his face was very red—I do not know whether he had been drinking, but his face was very red indeed—I remember Mr. Porter's dinner time that day, and the alarm of the robbery, and I saw the state of the room—in the course of the same evening, after the robbery, the prisoner told me he was going to Dublin on the following Friday—on the Sunday evening as I was sitting in the kitchen with him he said he had some money under ground, and he

would show it me if I liked to see it—I said, "No," because I was afraid —I did not want to see it, because I knew it was not his own—at the time he told me, he had a book in his hand—he was not reading it aloud, but muttering it to himself, and I said his countenance looked very frightful—it quite frightened me—he said it was only my fancy—this was about ten o'clock at night, as near as I can think—his wife was in the kitchen asleep at that time—she was not drunk every day—on the Monday morning, in consequence of what he had said to me, I looked in the wash-house, and saw one of the flag-stones had been moved, but I did not take it up—in the afternoon of that Monday I was cleaning some knives in the wash-house, and Thomas Chapple was cleaning them with me—I told him I had had a dream—he said, "Oh do tell me what it was"—I said I dreamed that he had hid the money under that stone—I was near to the stone at that time, and put my foot upon it to show which stone I alluded to—he said, "Oh good God, is it so?"—(I had not had any such dream; I only did it to hear what he would say)—he asked me if I had looked under the stone—I said "No"—that was all that passed at that time about the stone —when we had done the knives he gave me a letter to put in the post—he said it was to his brother Charles—as I was going with it I looked at the direction—I saw it was to Charles Chapple, and it was Thomas Chapple's writing—when I returned from the post-office I asked who he sent it to—he asked if I had read the direction—I said "Yes"—he said he had sent it to his brother to fetch away the money what he had been hiding, as if the place was searched it would make him look suspicious—on the Tuesday afternoon I was in the wash-house by myself, and lifted up the stone, but Thomas Chapple was coming down the stairs, and I let the stone fall—he came into the wash-house, and said I was very curious—I said, "You have sent away the money because you thought I should take some"—he said, "God forbid that I should think so"—on the Thursday following he said he was going to his brother Charles to fetch some money to pay his bills—he went out that evening—I do not know at what time, but he came back about three o'clock the next morning—I got out of bed to let him in—I said it was very late—he said it was not much more than one o'clock—I went to the clock to see the time, and found it to be three—I got him some cold tea—he was at that time in bed, and sat up to take the tea—he took up his pillow, and showed me a great many sovereigns, I should think ten or eleven, or there might be more—he said he had been to his brother Charles to fetch them to pay his bills the next day, and I could have half-a-sovereign if I liked—I never saw so much money as that in his possession before—he owed me money for wages—I had asked him for my wages a good many times before that, and had not got it—he then told me I could have 10*s.* of it—he and his wife had been in the habit of pledging things before that, and I had pledged wearing apparel for them.

Q. Do you remember Thomas Chapple being first taken into custody? *A.* Yes, and he was discharged from Bow-street—I do not know in what month that was—after his discharge I met him accidentally in Tottenham-court-road—he said, "You did not think I should be let out again"—he told me he had been discharged that day—on the Saturday following that day I saw him again in Brook-street, New-road, down in the kitchen where he lived—my sister went there to see Mrs. Chapple, and I went after her —on that occasion Thomas Chapple said that they were going to have a

grand dinner the next day—I have seen his brother Charles—I do not know when Charles was taken up, but I understood it was on a Sunday evening—Thomas Chapple came to my sister's lodging in Whittleburgh-street on a Monday—I do not know whether it was the Monday after that Saturday that I had seen him—I saw him at my sister's—he said his brother Charles was taken to prison for stealing a coat, and he (Thomas Chapple) was going into the country—he said he was going to meet Charles King in some fields, which he mentioned the name of, but I have forgotten it—he said he was to meet King to decide whether he was going into the country or not—he asked me to go with him to meet King, but I did not go—Thomas Chapple called at my sister's again about eleven o'clock that evening—I was gone to bed, but I got up to see him—he said he had seen Charles King, and King had told him he had better *chance* it—the prisoner Sophia is Thomas Chapple's sister—I asked him what Sophia had said—he told me that she said he had better stay—after this I accompanied him to a public-house in the Seven Dials—it might perhaps be a fortnight after—I did not go inside, I staid outside, as Thomas Chapple told me to do, as he said he wanted to see his sister Sophia—while I was waiting Thomas Chapple came out, and Charles King came out following him—I saw them speak together, but I did not hear what they said—Charles King then went into the public-house again, and Chapple came to me, and said, "Do you know who that is?" I said, "No"—he said, "Charles King"—I did not know him by the name of Charles King at that time—Chapple walked home with me—we went through Regent-street—he said he had had a letter from Dublin from his sister—he said he had written to his sister to send him some money to pay for a solicitor for his brother Charles—he did not say whether the letter he had received was an answer to his or not—as we were going up Regent-street we met Sophia Cox, with some other woman—Chapple called Cox aside, he spoke to her, and gave her the letter.

COURT. *Q.* When he talked of going to Dublin, did he say whether he was going alone? *A.* On the Sunday he said Mr. and Mrs. Mackie were going with him—I never saw those persons.

Cross-examined by MR. PHILLIPS. *Q.* The house, from the steps of which you saw King come one day, is all let out in chambers? *A.* Yes, there are a great many different persons living there.

Cross-examined by MR. LUCAS. *Q.* For what purpose did you go before the Magistrate the first time? *A.* To hear Thomas Chapple examined—I was called as a witness—I do not know whether I was a witness for or against him—I think Mr. Steele called me, but I am not positive—Chapple's wife was given to drink, and he was obliged to prevent her having money or any valuable articles; even when he found she was possessed of some little silver, he was obliged to take it from her; I saw him do it on one occasion—Mr. Porter told them if they wanted any money, to come to him, and he would give it them, and it was set down in the book—I had asked for my wages, and on the Thursday he said I could have half a sovereign, but he did not give it me—he had told me on the Sunday that he had hid money under ground, and on the Monday morning I went to look, and I saw a stone had been moved in the wash-house—I thought the money was under there, but I had not looked—I swear that I had not seen the money under there before I told the dream—I swear I do not know who put it there—I did not state all that I have now, on the first examination—I was sent away for a letter, and I did not state all I

knew then—I did on the second examination—I cannot tell how long I was at the first examination—I staid some time, and was examined by Mr. Clarkson as to all I knew touching the robbery—I lived servant about three years with Thomas Chapple, backwards and forwards—when I saw the man go down the steps, Thomas Chapple was not in the kitchen—I had seen him I think ten minutes or a quarter of an hour before—it was about half-past five o'clock—I cannot exactly say how long Thomas Chapple had been away from the kitchen.

MR. CLARKSON. *Q.* Are you sure that King was the man who was leaving the steps? *A.* I am quite sure of that—I saw a blue bag under his arm—I was in the habit of attending the persons who occupied chambers there—Mr. Turner who occupied chambers there, was in town on the 7th of September, as well as Mr. Porter, and I think Mr. Burton was, but I am not certain.

COURT. *Q.* Have you told us all that passed when Thomas Chapple told you that he had thoughts of going to Ireland? *A.* As near as I can recollect—he told me there was to be a grand dinner—I was not at any party of theirs—he never paid me my wages—he did not describe the coat his brother was taken for, nor say whose coat it was—I saw two or three other keys in the prisoner's drawer, besides the one I have described—I think one of them was the small key which is on this bunch, but I would not swear it.

JOHN PORTER *re-examined.* I did not allow Thomas Chapple any thing for taking care of the chambers—there were other persons in the house—he got about 25*s.* a week in all.

CHARLES WIDDOWS. I am clerk to Mr. Porter. On the Monday after the robbery, the 9th of September, I was at Mr. Gable's, the Red Cross Saloon, Bethnal-green, about half-past eight o'clock in the evening—Thomas Chapple came there to me—it was not by any appointment that I had made with him—he told me he had been sent to watch me, to observe whether I spoke to a person wearing a white hat—I told him I had no objection to being watched, as I was not ashamed of any place I went to—he told me that it being an unpleasant thing, he thought he had better tell me of it, and also that he had had a disguise given him, so that I should not know him—he then asked a description of the house, and an account of the situation where I resided, in case he should be asked questions, that he might not be at a loss—I gave him a description of where I resided, and after that he conversed with me further—he said he either had, or was about to speak to Mr. Sakey, (a person whom I know) to form a company of comedians, to go into the country—he said, "You know that I am rather uncomfortable at home from circumstances that you are aware of—I have saved some money, and I should like to go into the country, and I should not like to trust Sakey, unless I knew him"—he did not state any specific amount of money then—he asked if I had any objection to go with him—he did not mention what would be required for me—he said he should not mind putting down 20*l.*, 25*l.*, or 30*l.*, to the same amount of Sakey's, and going to Liverpool—I said I did not care whether I went or not—a comedian was passing, of the name of Hodges, and he said, "Is it Liverpool you mean?"—Thomas Chapple said yes, and asked him if he would go—Hodges said he was a married man, and did not care to change his situation—when Thomas Chapple spoke to me about putting down the money, I wondered how he became possessed of

it, as four or five days before he had come to ask me to lend him twopence to get him some beer for his dinner, as he was *stumped* out—in consequence of what occurred on that day, and what he had said to me four or five days before, I considered it my duty to mention this to Mr. Porter, and did so on the Wednesday—a short period before the robbery I saw Charles Chapple at Lincoln's-inn-fields—he came to see his brother, and I went with Thomas and Charles Chapple to a public-house on the further side of the fields leading to Clare-market—before we got to there, and after we left Mr. Porter's, we met with Charles King, who was waiting about—we all went to the public-house together.

COURT. *Q.* What time did you leave Mr. Porter's on the Saturday on which the robbery took place? *A.* As near as possible at twenty minutes past five o'clock—Mr. Porter had no other clerk—my going out left the office adjoining Mr. Porter's private room empty—there is another room on that floor, at the back, which was used as a bed-room by Thomas Chapple and his wife.

Cross-examined by MR. LUCAS. *Q.* How long have you been clerk to Mr. Porter? *A.* About two years—I have been in Mr. Porter's private room when he was not there—I got in by Thomas Chapple's key—I never went in without Thomas Chapple or his wife opening the door and going in with me—I may have been in the room alone, but I do not remember it—I usually left the office about six o'clock, but I left that day about twenty minutes past five o'clock, as I had a summons to serve on a person in Token-house-yard, to attend on the Judge, and they closed at six o'clock—I wanted to be there before that time—I am still in Mr. Porter's service—if I wanted any papers from the private room I knew where to find them—I did not know that Mr. Porter had money in that room—I knew he had valuable property there, because a box of papers and plate was brought out of that room by Thomas Chapple, and put into my room, at the latter end of August, or the beginning of September, when Mr. Porter was out of town for a few days—I was given to understand that it contained plate, and I gave a receipt for it.

Q. Will you undertake to swear that you did not know that there was money in that room? *A.* Upon my word I never gave it a thought—I know some solicitors keep a little tin box with cash in it, but whether Mr. Porter did I do not know—I have seen him take money from a little drawer by his side—I do not follow any other business—I have never been in any trouble—I swear I never stole a Macintosh—I saw Thomas Chapple every day at the office—I never sang at a concert, I am no singer—I do not know how Chapple came to ask me to go to form a theatrical party—I have belonged to a private dramatic society, and I have sometimes exhibited there.

GEORGE ROBERTS. I live in Castle-street, Long-acre. On Thursday, the 12th of September, I was at the Archers public-house, in Newton-street, Holborn—Thomas Chapple came to me there from two to half-past two o'clock, and we remained there together till very near four o'clock—(I had not at that time been charged with this robbery)—Thomas Chapple came up stairs to me as I was sitting smoking a cigar—he stated that he was very sorry to inform me, but he wished to act towards me as a friend, that I was suspected of the robbery, and that the officers would come and take me into custody on that evening—I had previously stated in conversation that I was going down into the country—he then advised me by all

means to get out of London as soon as I possibly could—he told me I was suspected on account of my calling at Mr. Porter's office on the morning of that Saturday—(I had called there to see Mr. Widdows)—he advised me to go into the country, that if they came after me they would be compelled to pay my expenses back again—I had a raffle at that house that night for a pair of trowsers, and he told me the officers would come there to take me while the raffle was going on, because they suspected that the trowsers were the trowsers stolen from Mr. Porter's—he described in what way the robbery was effected—he stated that they entered from the door in the passage; that they had opened the door with a key, which he described; that they were obliged to lift the key a little up before they could open the lock with it, and when they got in they went to a table in which was a drawer containing the keys of an iron safe, where the money deposited was stolen from—he said there was a pair of trowsers and a coat stolen, and that on the floor there were some skeleton keys found—he then wished me to go to Mr. Porter's, that Mr. Porter might examine me on the subject—when we came down he mentioned this to the landlady—(the landlord was out)—he advised her not to have the raffle that night, on account of the officers coming after me, as it might get the landlord into trouble—he then stated the same particulars to her about the robbery as I have stated, and she advised me by all means to go with him to Mr. Porter's, which we started from that house to do—when we got to the corner of Parker-street, Little Queen-street, he said, "Stop a minute, we will go in here, into a public-house at the corner," and he said, "Pay for a pint of half-and-half, and I will pay you again by-and-by"—while we were in there he begged of me, if I knew any thing of the robbery, to tell him, which, of course, I denied; and after that he stated that he wished to go into the country on a theatrical speculation, and wished me, Mr. and Mrs. Sakey, Mr. and Mrs. Mackie, Mr. Widdows, and himself, to be of the company, and, I think, a Miss Frazer, but I am not positive—he stated that he had 25*l.* or 30*l.* by him, but, of course, he should expect some of the others to put some down too—when I was paying for the half-and-half he said, 'If you want ten shilling or a sovereign I can let you have it to-morrow"—I then said, "We had better now go to Mr. Porter's, or he may be out"—he said, "No, we had better not go till to-morrow morning"—we then returned to the Archers public-house, in Newton-street, Holborn—he then wished me to go with him at night to the Cock public-house, somewhere in that neighbourhood, but where I do not know, where he said he thought he could point out one of the parties that had stolen the property from Mr. Porter's—he described him as being not a very tall man, but middling size, rather stout, dark whiskers, and wearing a white hat; saying he was certain he would be there that evening—I appointed to go with him; but, not liking to go alone, I made an appointment with a man named Farrel to go with me, but we did not go.

Cross-examined by Mr. Lucas. *Q.* What are you? *A.* An actor and singer—I have known Widdows for four years—I have met him repeatedly, and we have been out together—the first of my acquaintance with him was meeting him in the boxes of the Shoreditch theatre—I was not then in the profession—I never joined in theatricals with him—I do not know that he was ever engaged in such a thing—he might have performed at a private place, but never engaged in a public place—I knew Thomas Chapple from going to the house to see Mr. Widdows—when I

went there I was in the back-office—I know a room adjoining the back office—I have been in it since the robbery, but I never saw the inside of it before.

JAMES BLACK. On Saturday the 7th of September last my parents were living in Drummond-street, St. Pancras, and I was with them—I was then in the employ of William Wilks, a beer-shop keeper, in Harford-street, Fitzroy Market—I know Charles Chapple, the brother of Thomas Chapple, and I know Charles King. On the 7th of September, about seven o'clock in the evening, or a little after, Charles Chapple and Charles King came into Mr. Wilks's—Chapple had a blue bag with him—they first came into the public parlour, and then went with Mr. Wilks into a private room, where Chapple pulled out of the bag a pair of trowsers and an old coat—I was not in that room, but the door was open—he asked Mr. Wilks to purchase them—Wilks asked what he wanted for them—Chapple said, "What will you give?"—he said, "I will give half-a-crown for them," and Chapple said, "You shall have them, and as you bid so well, I have some-else for you"—Chapple then put his hand into his pocket, and pulled out what appeared to be a paper parcel, but what it contained I could not say—it was not very large—he could hold it in his hand, and his hand was shut—it was such a parcel as might have contained notes, and I heard the word "notes" mentioned, but who by I cannot say—Wilks told them to go and sit down, and he would see what he could do for them—he said he would go out and fetch some person, but he did not say who, nor what for—he then took off his apron and went out—he was gone three-quarters of an hour, and came back with two persons—Charles Chapple and Charles King were at that time in the public parlour, and they asked me to drink, Chapple addressed himself to me and said, "Our long talked of job is come off at last"—Charles King said, "Yes, to the tune of two or three hundred"—this was in the public parlour—Charles Chapple then said he should be a gentleman for a little while, he had got enough to keep him for two or three winters.

Q. Were either of the two persons who came back with Wilks known to you? *A.* They were not particularly known—I had seen one of them before once or twice—I know a person named *Deaf Harry*—he was in the parlour, but he was not one that came with Wilks—the conversation that I have related took place while Wilks was gone—when Wilks came back he beckoned to Charles Chapple and Charles King—they went into the private parlour with Wilks, and the two persons who returned with him, *Deaf Harry*, and another whom I do not know—the door was shut—they remained in the private parlour I should say about three-quarters of an hour, then came into the public parlour again, and Charles Chapple called for half-a-gallon of ale, which he paid for—I heard Charles King say to Charles Chapple, "Well, we have got two hundred and eighty," but whether he meant money for the notes or what, I do not know—Charles Chapple said it was *Tom's* job, but Thomas Chapple was not there—Charles Chapple told me in Charles King's presence that he had been down to Mr. Porter's, in Lincoln's Inn-fields that afternoon with Charles King—that he had done the robbery, and Charles King stood outside—during the evening Sophia Chapple, or Cox, came in with Henry Cox, with whom she was living—she walked towards Charles Chapple, who put his hand into his pocket, pulled out some gold, and gave it her—she then went away and left Henry Cox behind her—they then remained playing

at cards till about twelve o'clock—Henry Cox went away a very little while before the rest—I heard Charles Cox say he should like to go to Boulogne, and Charles King said "Yes, I should like to have a little journey into the country"—on Monday, the 9th of September, Charles Chapple, Henry Cox, and two or three other persons came into our beer shop about half-past two or three o'clock—thay said they were going to dinner, and when they had been there about half-an-hour Sophia Cox came and called them to dinner—they all went away together—about half past seven o'clock there was a *sing-song* at our house—Charles Chapple, Charles King, Henry Cox, and a tallish young man, whose name I do not know, came there—they stopped till about half-past ten o'clock, when some person came and called Charles Chapple and Charles King out, and they went out—I had occasion to go out to get some tobacco, and when I came back I saw the person, outside who I believe was Thomas Chapple—they were all in conversation together outside—he said, "You had better take those things off, it will look very bad—besides it will get us transported for Mr. Porter's robbery"—both Charles Chapple and Charles King had watch-guards on, and they were the things that the person desired them to take off—on that Monday before the *sing-song* I met Henry Cox in Tottenham-court-road about half-past eleven o'clock—he had another person with him, and Cox said to me, "I suppose you have heard of *Charley's* job?"—I said, "Yes"—he said, "It is a good one"—I did not make any answer—he said, "I suppose they will make it all right with you?"—I made no answer—he said, "Mind you don't *split*, or if you do, look out."

Cross-examined by Mr. PHILLIPS. *Q.* Now attend, the words he made use of were, "It is a good one?" *A.* Yes—I am positive those were the words.

Q. Was not this what he said, "He has *done it up* to some tune?" *A.* No—he said what I have stated—there might be more said, but I am swearing to the words I can answer for—he might use other words, but I cannot recollect them—it is some time ago—I have been a waiter and potman, but I am not in a situation at present—I left my last situation through letters sent out by the party's friends who are now here—I was informed so—I had been a fortnight or three weeks in Mr. Wilks's employment when this took place—there were ten or a dozen persons present at this conversation, when Charles Chapple and Charles King came there, and the conversation was about Mr. Porter's robbery—I had known Charles King at that time about four or five months—the last situation I had as potman was at Bagnigge Wells—that is two or three months ago—since then I have been carrying messages or parcels—I have not received money from any particular individual since—it is casual earnings I have lived on and assistance from friends—I have been looking out for a situation, and should have got one in the Bagnigge Wells-road, but they did not get the license—I was once taken up, but it was a mistake—I was never taken and charged with any thing when it was no mistake—I was never taken up but once in my life—I had a brother named John—I do not know where he is—I have totally lost sight of him—I never was in the employ of Collins and Pocock, nor in their pay, nor received any money from them, or from any body connected with this prosecution—I have been living on the casual chance of what I have earned, and been at home with my friends—my father has assisted me—I left him at home when I came here—I have been living with him since I was out of place.

Q. Who commenced the conversation in the public-house about the robbery? *A.* Charles Chapple, the prisoner, who is not here—he asked Wilks if he would buy the trowsers and coat—Wilks asked what he wanted for them—Charles Chapple said, "What will you give?" and Wilks said he would give half-a-crown—I do not know where Wilks is now—I left his employ on the following week—I was before a Magistrate for an assault—I forgot that when I said I was only taken up once—I cannot tell how long it is since—it may be four or five months—I got fined 10*s.*—it might be two months after I left Wilks that I went before the Magistrate—the conversation in the public-house was not loud enough for all the ten persons to hear—it was not confided to me, it was said to them—I do not know whether *deaf Harry* heard it—I do not know whether he is deaf—I should say he is called so because he is deaf—the conversation was addressed to the party at that end of the room—there were four or five there—I do not know how many there were that I knew, I did not take particular notice—none of them made any remark but Charles King—I do not know whether the party consisted of six persons—they were drinking together—I am sure Charles Chapple told me he committed the robbery, and that Charles King stood outside.

Cross-examined by MR. LUCAS. *Q.* How long have you known Thomas Chapple? *A.* Ten or twelve months—I first saw him at the Crown and Anchor public-house, in Regent's-park.

THOMAS JAMES. In September last I lived in Little Cumming-street, Pentonville. On Thursday or Friday morning, the 13th or 14th of September, Charles King came to my house between eight and nine o'clock—I had a lodger named Lewis, who was an acquaintance of Charles King—I was at that time confined to my house with a broken bone—I remained in the room while Charles King and Lewis were breakfasting—they entered into conversation, and I heard Charles King say to Lewis, "There is a 50*l.* *chaunt* for that job at Porter's, in Lincoln's Inn-fields"—I also heard, from a question that Lewis put to King, that they had sold some plate at Child's, in Goswell-street-road—I did not hear any more particular conversation about that—King came again on the Saturday morning, and said he did not know what he should do or where he should go to—Lewis advised him to go to Boulogne—King said he had to meet Chapple in the Dials, to arrange where to go to—I will not be exact about the Christian name he used, but it was Chapple—King left my house then—I saw him again on the following Tuesday, at this end of London-bridge; but on Monday, the 16th of September, a twopenny post letter came to Lewis, by the last post in the evening—Lewis asked me to read it to him—it was from Charles Chapple to Lewis—I read it to Lewis, and afterwards burned it—in consequence of what I observed in that letter, I went, for the purpose of apprehending Charles Chapple and Charles King on the Tuesday—on my arrival at London-bridge I saw Charles Chapple and Charles King—(I did not know Chapple at that time)—they were together—I do not know whether they came in a *cab*—they had carpet bags, and were both dressed in Macintoshes—my lodger, Lewis, was with them—I gave information to the policeman on duty, but they escaped—there is no doubt but Lewis told them I was there.

Cross-examined by MR. PHILLIPS. *Q.* What are you? *A.* A shoemaker—I have not worked at it for about eight months, and then I did not work in general at the business, but for my friends or children—I

have a small income derived from a relation—I do not keep a lodging-house—I never did, no more than one or two lodgers—there may have been three at times—I may have had two lodgers besides my father—there may be two or three of a family in one room, but there has been but one tenant—I have had a man and his wife and seven children.

Q. Had you known Charles King before? *A.* Never in my life—I had seen him once at my house on the day before I heard this conversation, but then only for a moment—he was a perfect stranger—he said this at once before me and Lewis—he might have said it from Lewis being my lodger—I thought it was a curious subject—such a thing never happened to me in my life, before nor since—I was once secretary to a loan society—I was never charged with any thing—I have a little income by which I have supported myself and my wife since this prosecution, with my wife's work—I have received money from many people—I have received my own money, which I have coming in every month—I have not earned money by any calling or office—when I have lost a day's work in looking after the prisoner Charles King, Mr. Porter has though proper to pay me for it, but I do not consider that earning.

COURT. *Q.* Have you been paid regularly by Mr. Porter? *A.* No—I could not tell how much I have received from him—I have not received 10*l.*—I may have received 5*l.*

MR. PHILLIPS. *Q.* And you are here as a witness with 5*l.* of his money in your pocket? *A.* No, I have not—I have spent more than Mr. Porter gave me—I never made any charge upon him—I never received any thing for a day—it is a month ago, and more than that, since Mr. Porter paid me any—I cannot tell when I first appeared before the Magistrate—I think it was on the 21st of March—it was on the 17th of September that I first took any step with regard to this robbery—it was not by the day that Mr. Porter paid me—he probably made me a present of a few shillings—I went with Mr. Porter to Gravesend on the day we lost the prisoners—I cannot say when I first received any money—it might be the latter end of September or October—I have not been working at any trade since 1833—I will not swear that I may not have had 8*l.* of Mr. Porter—I do not know whether I put it down in a book—I put down no money in a book that I received from Mr. Porter.

Q. Why did you swear you did not know whether you put it down? *A.* What has that to do with this robbery?—I never put them in a book, and I do not believe I have received 8*l.* from Mr. Porter—it has been 5*s.* or 6*s.* at a time—it is impossible for me to say how much—it has been a great many days during the last eight months.

MR. CLARKSON. *Q.* You were employed by Mr. Porter to look after King? *A.* I was not employed, but I gave him information, and he thought proper to make me a remuneration—I was, on and off, for about six months looking after King—I went to Gravesend and other places—the largest sum I ever received was about three half-crowns, but not for one day.

JOHN PORTER *re-examined.* I did not know any thing whatever about Charles King till I received communication from Thomas James—I never paid him any money for evidence—he knew King, and he went down to Gravesend, which the officers knew—I gave him sometimes half-a-crown, and sometimes other sums, what I thought might be his outlay—perhaps, in all, about 7*l.*

Cross-examined by MR. PHILLIPS. *Q.* Did you keep any book of it? *A.* I did at first—I am not aware that I have given money to any one else—I may have given Pocock, the officer, some silver to reimburse him—I gave him 5*s.* on one occasion—the officer came to me, and I took two half-crowns out of my pocket and gave him—he had incurred expenses—he went to search a house, and there was a *cab* to pay for—I may have given the other witnesses money to pay their expenses—I gave Selina Kemp 3*s.* or 4*s.*—I think Black had half-a-crown for his expenses—I think I paid Collier, as he had been put to expense—I do not recollect how much I gave him—I have not made up the account—I do not know that I put it on paper—I have not put the sums together—I could not tell how much I paid Collier—he went down to Reading, I think, and he wanted expenses.

COURT. *Q.* Have you given him 3*l.* or 4*l.*? *A.* Yes, more than that. I should say 10*l.*—it was for reimbursing the expenses—I could not state the amount—I have been put to considerable expense.

Cross-examined by MR. LUCAS. *Q.* Will you state, as a man of honour, whether any of the witnesses, and which, if any, have a prospect of receiving money after this trial? *A.* None whatever; and what I have paid them, has, I believe, been much less than they have actually laid out.

MR. CLARKSON. *Q.* How long have you been in practice as a solicitor? *A.* Ten years—on my solemn oath, I have not furnished money to any witness for any thing more than for their expenses on my account, and their loss of time—I was very unwilling to let them have a farthing.

MARY JAMES. On Saturday morning, the 14th of September, when Charles King came to my husband's house, I opened the door to him—Charles King was in company with Lewis, our lodger, and my husband—I did not remain in the room all the time with them—they went out—I went out to look for a lodging, and in the meantime they came back—it was between one and two o'clock—I told Charles King I had seen a lodging—he went with me to look at it—we did not see the lodging—the person was not at home, and Charles King declined seeing another lodging, saying his time was short, as he had to meet a friend of his in Seven Dials at five o'clock—he said he was sorry he had not procured one before, as he knew they were after him and another, for a robbery in Lincoln's Inn-fields.

SELINA KEMP. I am in the service of a clergyman at Paddington—I know Henry Cox—Sophia Cox was living with him—Sophia Cox is a sister of Charles Chapple. On Monday, the 9th of September, Sophia Cox came to my lodging in Chapel-street, Tottenham-court-road, about three o'clock in the afternoon—she had a brown paper parcel with her—I asked what was in it—she said, "Some shirts for Charles Chapple"—we went out together to her lodging in Southampton-court—as we were going, she said Charles King and Charles Chapple had done the robbery on Saturday night—I remained at Sophia's lodging to tea, and then I left her—I saw her again a few days after, and then she told me that on the night the robbery was done, she was very badly off, and when she came home she began to scold Charles Chapple and Henry Cox, and Henry Cox said to her, "Hold your noise, here is a sovereign for you"—that Charles Chapple said, "Hold your noise, see what I have done—I have done it at last," and he held out his hand, and had something in it, but she did not see what it was—she said she told them, while she was cross and scolding them, that they were not half thieves enough—on the following Wednes-

ay I called on her again, and went to fetch something for her—I think hat was on the 22nd of September—Thomas Chapple came in, and he and ophia Cox both looked very much confused—she said to him, "Will you ave any thing to drink?"—he said, "Yes"—I went and got sixpenny-orth of gin—when I came in with it, Sophia Cox told me to go over to er father's to fetch her brother George—I went, and he came back with ne—he went in, and I met Sophia Cox at the door—she did not seem to vish for my company, and I wished her good night—I saw that Henry Cox was in the room as I went away—from that time I did not hear my thing more about the robbery till Thomas Chapple was taken into custody, which was on the Friday after—after that Sophia Cox told me she had 5*l.* of the money—that Henry Cox had 5*l.*, and that Charles Chapple and Charles King were gone to Dublin because they were frightened for fear they should be taken up—I was taken up about three weeks or a month after, when I was in Sophia Cox's apartment—Henry Cox was with me—I sent to my parents, and expressed a desire to say what I knew about the matter—while in custody I was in the same place where Sophia Cox was—when we were remanded, she told me not to say any thing, and she would give me two sovereigns—she said she hoped her father would get off, for Charles Chapple's money was hid on Mr. Semple's wharf—(I think he is a timber-merchant, I am not certain)—her father's name is Charles Chapple—he is the prisoner—the Charles Chapple I have been speaking of, is the son, who is not here—Sophia Cox said she wished they, (the policemen) had not taken the coat, as that was the coat that Charles Chapple had on when he did the robbery—she is not the wife of Henry Cox—she told me so—when I was in custody, and was brought up, Henry Cox used to tell me not to say any thing, and I should be sure to get off—Henry Cox and Sophia Cox were in bed together one morning when I was there, and a strange man came in—Henry Cox said to that man, "Mrs. King has got Charles King's money, and I should like to go and take it from her, for I dare say it is somewhere about the house."

COURT. *Q.* What have you been in the habit of calling Mrs. Cox? *A.* I used to call her *Sophy*—I used to represent her to other people as Cox's wife when I spoke of her—she told me herself a good bit ago that she was not his wife, and her sister told me so likewise—I am now in service myself.

Q. How came you not to make any communication to your parents when you found the persons with whom you were intimate were a gang of thieves? *A.* Because my relations would not speak to me—they had turned their backs on me—I was not in service at that time.

Henry Cox. *Q.* Will you have the kindness to tell how it was you were first with us? *A.* Doing some needle-work that I never got paid for—I turned Sophia Cox's silk dress—I never walked the Quadrant in Regent-street till Sophia Cox's sister took me there—I was not ill when I first came to your place—I should not have been in trouble but for you.

Henry Cox. When she left us she took several articles of wearing apparel away from my wife, and she was afraid of being taken for them.

COURT. *Q.* You say Sophia Cox's sister took you into the street—what is her name? *A.* Eliza Chapple—she took me down the Quadrant first; but now my friends have enabled me to get a service, and I am living in service very comfortably—it was owing to my getting to those bad habits that my friends turned their backs on me.

Sophia Cox. You stole a bundle of things of mine, and you said you would *do* for me—you said you would not mind lying a month for me—I took you when you had robbed your lodging in Pitt-street, Tottenham-court-road—I let you stay a few days till you could get the money—you said you would send me out of the country, and owned you had got my things—you made the bonnet dirty, and sent it to be cleaned.

COURT. *Q.* Did you ever take a bundle of her things? *A.* No—she gave me a bundle; I did not steal it—I never lived in Pitt-street—I asked her one day to lend me a bonnet, and I dirtied it and sent it to be cleaned, and when she can pay for it she shall have it.

WILLIAM MAGRATH. I live in Nelson-place, New-road, and am a plumber. I knew Mr. James of Little Cumming-street—I was there on the 12th or 13th of September, about four o'clock in the afternoon—I went into the front parlour to wait for James, and after I had waited a little time, Lewis, who lodged there, (I do not know his Christian name,) I think it is William,) and Charles King came in—Charles King produced a watch and asked Lewis to wind it up for him—Lewis asked him what he had given for it—King said he had taken it out of pledge for 18*s.* or a pound, and he would have kept the gold watch, but Chapple made him sell it with the plate—I was looking through the parlour window, and thinking the conversation rather strange, I paid more attention than I should have done—Lewis asked King what were the amounts of the notes—King said, "Tens and hundreds," and that they had received between 200 and 300*l.* for them—I then turned round and said, "Gentlemen, you have got a good booty or prize, where did they come from?"—Charles King said, "From the lawyer's in the fields"—they did not stop above five or six minutes—James was at that time ill in bed—when the others were gone, he came down, and I told him the moment he came down—on the Tuesday following James came to me, and in consequence of what he told me, I went with him to London-bridge, to apprehend Charles King—I know the hotel at the foot of the bridge—after waiting some time I saw a *cab* drive to the foot of London-bridge, and just at the moment I saw King and another young man close to the *cab*, but I cannot say that I saw them get out of it—there is a way out of the hotel which leads to the water-side, and I lost sight of them—I afterwards went with Mr. James to Mr. Porter's to tell what I knew.

Cross-examined by MR. PHILLIPS. *Q.* Had you known King before? *A.* I never saw him before—Lewis was in the room—I have been a plumber and glazier all my life—I lodged at James's about three years ago—I went there that day about some glass I had to repair for him—I had known Lewis before, but not Charles King.

WILLIAM LEIGH WOOD (*City police-constable, No.* 410.) I was on duty at London-bridge on the 17th of September—James and Magrath applied to me to take some persons into custody, but I searched, and found nobody—I saw a number of persons about, but none that I can identify, except the prisoner Charles King—I had seen him and another person pass in a very hurried manner, within two minutes of the time I was spoken to—they had carpet bags with them, and Macintoshes on, and were going towards the steamer.

GEORGE COLLIER (*police-sergeant E* 38.) On the 29th of September I went in company with Pocock to the lodging of Ann King, in Frederick-street, Portland-town—I believe she is the mother of Charles King—I

found her in the front parlour—I told her she was suspected of being concerned in Mr. Porter's robbery, at No. 22, Lincoln's Inn-fields—she said she knew nothing about it—I asked if she had got any money—she said, no, she had not got any—I asked when she had seen her son Charles last—she said, "About a fortnight ago"—I asked if she knew where he was—she said, "No"—I searched the room, and while I was doing so she walked to the door several times, and endeavoured to go out—I pulled her back, and told her I could not allow her to go out—I found no money nor property relating to Mr. Porter's robbery—I then asked if she had got any money about her—she said, "No, not a farthing"—I asked her to show me her pocket—she pulled out some papers—I said that would not do for me—I felt, and there was something hard—I told her to take her pocket off, and she gave it me—I found in it fifty-one sovereigns and 23*s.* in silver—I asked whose that was, and where she got it—she said, "From Eliza Plant," and at that moment Pocock, who had left the room, brought Eliza Plant in in custody—I told her that Mrs. King said she had received that money from her—Eliza Plant said, "Yes, I brought it up, and gave it her; I received it from Charles King"—I told Ann King I should take her on suspicion of the robbery—she said, "If right takes place, others will suffer for it as well as me"—(Plant cohabits with Charles King—I afterward caught them in bed in Nottingham-place, Seven-dials)—I went to Southampton-court, where I found Sophia Cox, Henry Cox, and Selina Kemp—I found a coat there, and in a drawer in the wash-hand stand I found a life-protector—I asked Henry Cox whose coat that was hanging behind the door—he said it was his—I said I should take it—Sophia Cox looked at me, was very much confused, and asked what I wanted to take that coat for—I said I thought I knew a person who had worn it on a certain day, and I should take it—I then took them to the station-house—on the 5th of October I went to Brook-street, New-road, where Charles Chapple lives—he was not at home, but came in directly—I asked if he had got any money—he put his hand into his pocket, and pulled out a bag, containing half-a-sovereign and 3*s.* 6*d.* in silver—I asked if that was all he had got; he said it was—I then searched him, and in his trowsers pocket I found five sovereigns wrapped in this piece of green baize—I asked him if they were his; he said, no, it was his master's, Mr. Semple, of Camden-town, and he had received it for a bill for him yesterday—(there is a Mr. Semple keeps a timber yard, and Charles Chapple worked there)—I said he must go with me to Mr. Semple's to know if he had received it for a bill for him—he then said, "Oh dear, it is no use telling a lie about it; I picked it up in the Park yesterday, I found it"—I said he must go with me on suspicion of being concerned in Mr. Porter's robbery—I put him into a *cab*, and he said, "I have been drawn into it"—I asked him when he had seen his son Charles—he said, "About a month ago"—I asked if he knew where he was—he said, "No"—I had been in search of Charles King ever since September, and took him on the 21st of February, in bed with Plant, at No. 21, Nottingham-place, Seven-dials—I told him to get up—he got his trowsers, and I said I should search them—he said, "No, I shall put them on"—I said, "It is no use"—I took them, and in the pocket was this bag, with four skeleton keys in it, which he put into my hand—I looked about the room, and found a bundle of sixteen skeleton keys on the coals in the cupboard—I took Thomas Chapple in the same house where his father was, on the 21st of February.

SUSAN FROST. I know Mrs. Ann King. In September last she was living in my house—Eliza Plant and Charles King were living together at my house—Ann King came to lodge with me on the 5th of September—Charles King helped her to move in on that day.

T. CHAPPLE—GUILTY. Aged 32. } —Transported for Fifteen Years.
C. KING—GUILTY. Aged 24. }

C. CHAPPLE, PLANT, A. KING, H. COX, S. COX—NOT GUILTY.

First Jury, before Mr. Sergeant Arabin.

1282. THOMAS LEE was indicted for assaulting Emma Boyle.

GUILTY. Aged 55.—Confined Two Months.—Penitentiary.

1283. MARY SMITH was indicted for an assault.

GUILTY. Aged 25.—Confined Three Months.

1284. JANE WATFORD was indicted for concealing the birth of a child.

GUILTY. Aged 23.—*Recommended to mercy by the Jury.*—Confined One Year in the Penitentiary.

OLD COURT.—*Tuesday, April 14th,* 1840.

Third Jury, before Mr. Baron Alderson.

1285. CATHERINE MICHAEL was indicted for the wilful murder of George Michael: she was also charged on the Coroner's inquisition with the like offence.

MR. RYLAND *conducted the Prosecution.*

SARAH STEVENS. I am the wife of John Stevens, and live at No. 22, Praed-street, Paddington. I know the prisoner—I received her child into my care nearly nine months before its death—it was a fortnight and a few days old when it came to me—it died on the 31st of March, or Wednesday morning, the 1st of April—it was very well on the Friday before its death.

Q. Had it been poorly before that time? *A.* Not lately—on the Friday before it died, in consequence of a letter I received, I went to the prisoner, who was living at Mrs. Kelly's, No. 49, Hunter-street, Brunswick-square, as wet nurse—I saw the servant first—the prisoner came down stairs to me, and asked me how I was, and how the child was—(the child's name was George Michael)—I said the child was very well—she asked me to walk into the parlour, which I did, and she said she had an old frock for the baby, and a bottle of medicine—she gave me a bottle which was full—*this* looks like the bottle—(*looking at one*)—it was tied down with a bit of paper inside the cork, and a piece of white paper outside round the bottle, and sealed with wax—the paper was not fastened on the bottle—the cork was tied round—the paper was wrapped round the bottle—I could not see what was in it till I got home—when she gave it me she said it *would do* the baby's bowels good—I said the baby was very well, and did not want medicine—she said it had done her mistress's baby good, and it would do her baby good—she said I was to give it one tea-spoon full every night—

she said if any thing happened to the child I was to let her know directly —I do not recollect that she said any thing more—she said I might expect a doctor on Monday next, about five o'clock—I rather think she said Dr. Reid, but I am not certain of the name—this was on Friday, the 27th of March. The prisoner paid me for taking care of the child—she gave me 7*s*. a week for the first five months, I believe, and then I spoke about falling it to 6*s*. a week—I lowered it to 6*s*. a week for one month, and then I fell it to 5*s*.—that was the rate when the child died—the doctor did not call on the Monday—when I got home I took both papers off the bottle—I did not open the cork—the contents looked dark, something of a treacle colour—I never took out the cork—I took off the paper directly, to see if there were any directions—I never gave the child any of the contents of the bottle—I stood it on the mantel-piece directly, where it continued till the Tuesday, not intending to give it to it at all—I keep the house, but other people lodge in it—on the Tuesday afternoon I left the room at half-past four o'clock—there was myself, my daughter, who is eleven years old, the baby, my little William, who is five years old, and Richard, my son, who is three years old, in the room up to that time —those were all the persons in the room—about half-past four o'clock I was called out of the room—the baby was very well indeed then—all the persons I have named were in the room then—I could not say whether the bottle was on the mantel-piece at that time, but it had been there all that day—I had cleared the mantel-piece about eleven o'clock, and it was there then—I did not remove it afterwards, nor any body else to the best of my knowledge—when I saw it at eleven o'clock it was in the same state, as to the contents, as when I received it—I kept it for fear the doctor should come —I thought, in consequence of what she said, a doctor might come, and I meant to ask him how I should give it—when I went out of the room at half-past four o'clock I left the baby sitting on the floor, playing with my children—it was awake and lively at that time—at six o'clock I went into my parlour—I was in the kitchen, and I heard Richard cry—I thought he had fallen, and went up into the parlour—I found the baby then lying on the sofa asleep—I went and took him up in my arms, and his hands were clenched—I could not open his fingers—I spoke to him, and endeavoured to rouse him—I said, "George, George"—he looked up, and closed his eyes again, as if he was going to sleep—I told my girl to go and fetch a pennyworth of castor oil, and gave the child half of it—he then went fast asleep—I looked at the mantel-piece directly I came in—the bottle was on it, and half the stuff gone—I sent my girl for a doctor, and called up a midwife who had been with me at a labour in the house—the medical man who came first was Mr. Sellick, assistant to Mr. Philpot—they looked at the child, and asked me what I had been giving him—I told them I had given him castor oil, but my little boy said something.

Q. Was the attention of Mr. Sellick, or Mr. Philpot called to the half-empty bottle? *A*. When I came into the room, I took the bottle in my hand, and *smashed* the stuff into the fire in my passion—this was after my little boy had made a statement—I went to the bottle to see whether he had done it—I *smashed* the stuff on the fire before Mr. Sellick came—there was nothing to shew him but the bottle—I had done nothing else to it—I had not rinced it—there was a good many drops in it when they came—I told Mr. Sellick and Mr. Philpot what my little boy had told me

—Mr. Sellick took the bottle with him—he brought something and gave the child directly, and ordered hot water and things for it—I gave the things they advised—they ordered it medicine and a hot bath—I did every thing in my power—he seemed in convulsions, but quite asleep—he never awoke up all night—he died about twenty minutes before five on Wednesday morning—I sent Mary Batty for the prisoner about nine or half-past nine o'clock on Tuesday night—she came—I said, "Look what trouble I am in"—she said she could not help *of* it—I drew her attention to the child—she went and looked at it—I told her what my child had told me—she came and sat down by me, looking at the child, which was on another person's knee, who lived up-stairs—I said the child was very bad, and told her my little boy had given it the medicine out of the bottle—I asked her if the doctor had given it to her, and she said, "Yes"—I sent for Mr. Philpot while she was there—he asked her where she got it—she said the doctor near there, or something of that sort, I cannot exactly say what.

Q. Did she say where she got it from? *A.* She said something about round the corner—she stopped about a quarter of an hour—she came again next morning, about ten o'clock—the child had been dead some hours then—I asked her to go into the other room and see it—at first she objected—she never made *no* notice—she said, "No," but after a little while her cousin, Esther Jones, who lives near me, said, "Go, Kate, and see the child"—she then rose up, and went with me and her cousin into the room—she looked at the child—she said, "It is better off," or something like that—she did not say she was very sorry—Mr. Philpot was not sent for that morning—she went out, and said she was going to Mr. Philpot's house—nothing had been said about him—she was absent about a quarter of an hour—Mr. Philpot lives about two minutes' walk from me—when she came back, I asked her if she had seen Mr. Philpot—she said, "Yes"—I asked her if it was all right, if she had had the medicine from the doctor—she said, "Yes"—I asked her whether it was doctor Reid—she told me, "Yes"—I did not ask her any thing else—she said nothing else—she stopped from ten till two o'clock that day—I did not see her again till she was brought to our house by a policeman, on the Saturday night—when she gave me the bottle, she told me to give it one teaspoonful of the stuff every night.

Cross-examined by MR. BALLANTINE. *Q.* How many children have you? *A.* Eight—I have had eight nurse children before—when they have required medicine I administered it—I am acquainted with the ordinary diseases which children are subject to—I have never given laudanum for diseases of children—I have never known it to be given or seen it given to children in my life—I have seen it given to ladies in drops when I have been with them—I have never given it to ladies—I have had a pennyworth for the tooth-ache, often enough to know the colour of laudanum—I do not think I should know the smell of it—I do not think I have taken it above twice for the tooth-ache—I can swear I do not know the smell of it—I do not think I should know the taste of it, although I have taken it for the tooth-ache—I have just put it with a feather to my tooth, that is all—I could not see the cork of the bottle when it was delivered to me—it was tied down with a white piece of paper outside—there was a little piece of paper inside—I will not be sure whether it was white, or what colour—the seal was outside on the cork, with the white paper—the string was round the neck of the bottle over the white paper inside and not outside—it was coloured pa-

per inside, but I could not tell what colour, as it was nine o'clock at night —the white paper was fastened with red sealing-wax outside, which I was obliged to break to open the paper—it was sealed on one end, which retained the ends of the outside white paper over the cork—I found a piece of paper tied over the cork inside, folded up very neatly—the child was in very good health when I had it—it had not been otherwise for a month or five weeks—I had complained to its mother about its bowels—the last time was about a month or five weeks before this—she did not give money to get the child medicine then—she did when it was about two months old—she then gave me 5*s.* to get medicine, and 5*s.* she made me a present of—she was at that time paying me 7*s.* a week for nursing the child—I received 10*s.* from her on that occasion—she came there and gave it to me—I had complained of the child's state of health then—it had been very ill some time—I bought some stuff from Mr. Philpot's assistant—I took it there two or three times —I paid 10*d.* one day, and I think 14*d.* another day, that left 3*s.* out of the 5*s.* but I think I had some powders at the same time, and some castor-oil, in addition to the medicine from Mr. Philpot's shop —I was not served by Mr. Sellick—I bought them myself—I had twopennyworth of castor-oil once or twice, and I was always giving him something at that time—I took him down to Ramsgate for change of air—I did not take any of my own children down to Ramsgate—I paid for it—this was the only occasion on which I received money from the prisoner for medicine—I never received 4*s.* from her—I am quite certain that is all the money I received—when I got home I took the paper off the bottle, expecting to find directions how to give the medicine to the child—I put the bottle on the mantel-piece over the fire-place, which is rather low—it is above the fire-place—it is rather a low mantel-piece.

COURT. *Q.* I suppose your boy could reach the mantel-piece? *A.* He must stand on a chair to reach it.

MR. BALLANTINE. *Q.* Was there a fire on this day? *A.* Yes, and a fender before it—I have frequently seen my child stand on a chair—when I came into the room my little boy was sitting down by the fire-place—the child was lying on the sofa asleep at the time—the child five years old is not here—the prisoner came on the Tuesday night, and also on Wednesday morning—I asked her to go in and see the child—she said, "No"—there can be no mistake at all in that—I am certain she said that, and that only—I am certain she did not say, "I am very sorry"—if she had said so I could not avoid recollecting it—I have not a very good memory—I will undertake to swear what the prisoner said to me when she gave me the bottle—there was nothing at that particular moment to fix it on my mind—I will undertake to say the words without any mistake—she asked how I was when I came to the door—she said, "Here is an old frock and a bottle of medicine for the baby"—she said, "Give my baby one tea-spoonful every night" —I said he was very well, and did not want medicine—she said the doctor would most likely call on me on Monday, and she thought she had better apprize me of it—she gave no further directions as to taking the medicine.

COURT. *Q.* What was the doctor to call on you on Monday for? *A.* To see the baby, about five o'clock, and I waited till the doctor called before I would give the child any thing—I was not waiting for the doctor's directions particularly—I meant to ask him how it was to be taken if he came—I am not sure she did not tell me to ask for the doctor's directions—she said the doctor would most likely come to see the baby at five o'clock.

Q. Are you quite certain she did not say you were to wait for the doctor's directions before you gave it? *A.* No.

MR. RYLAND. *Q.* With the exception of the castor oil you gave the the child the night it died, did you ever give it any medicine except under the direction of a medical man? *A.* Never, except a little powder I got myself—at one time it had other medicine—at one time, when first I had it, she sent me four powders—I could not be certain whether she sent them with the clothes, or whether the nurse at the hospital gave them me—I gave it one of them—the child was very ill at the time, and it did it good.

COURT. *Q.* At the time she told you to give the child the teaspoonful of this every night, did she tell you you were to give it a teaspoonful partly of this medicine and partly of water? *A.* No—she only said a teaspoonful every night—I did not give it to the baby because I did not think it wanted medicine—I expected to have directions on the bottle how to give it, whether in water, tea, milk, gruel, or any thing, but I did not think of giving it to the child at all—I never kept medicine on the mantel-piece—I did not know I had poison in the house—she mentioned something about steel medicine to Mr. Philpot, not to me.

JANE STEVENS. I am going on for twelve years of age—I go to church sometimes, and say my prayers and catechism—I know it is wrong to tell a lie—God knows whether I tell lies or not—he will punish me if I do so when I die—I am afraid of that—(*sworn.*) I am the daughter of Sarah Stevens—I knew the little baby George—my mother left me in charge of it the afternoon before it died—she left my two brothers and the baby and me in the room—after my mother had been gone out some time I went out for a loaf—I left the baby sitting down in a corner awake and very well, and my two brothers in the room—I was gone about ten minutes—the baby was sitting in the same place when I returned—my brother *Billy* said something to me when I went in, and in consequence of that, a little while after I looked upon the mantel-piece—I had seen a bottle on the mantel-piece before I went out for the loaf—it was such a bottle as the one produced—I had seen it about a quarter of an hour before I went out for the loaf—it was on the mantel-piece then, and was full then—when I looked at it on the mantel-piece after what *Billy* said, it was half full—it was in the same place—I took up the baby and it fell on my shoulder and went to sleep—I sat up till about twelve o'clock—it did not awake up to that time.

Cross-examined. *Q.* Where was *Billy* when you came in? *A.* He was just by the baby—he was playing with it, patting his hands—I had not been out more than ten minutes—the baby was just in the corner, just by the mantel-piece, on a little carpet on the floor.

COURT. *Q.* *Billy* was very fond of the baby, I suppose? *A.* Yes—I did not smell *Billy's* lips, nor the other boy's.

MARY BATTY. I am single—I am a dress-maker, and live in Praed-street, Paddington. I know Mrs. Stevens and her children, and the baby which she had to nurse—on the night of its death I was sent for to Mrs. Stevens's—I went about nine o'clock, and saw the baby—it was very ill—I went for the prisoner by Mrs. Stevens's request—I did not see her first—I did afterwards—Mrs. Stevens had told me to ask her to come and see the baby—I told her she must come and see her baby, as it was very ill

indeed—she said she would ask leave to go—she went for the purpose of asking leave, and went with me to Mrs. Stevens's house—I did not go into the room with her.

RICHARD GODFREY SELLICK. I am assistant to Mr. Philpot, a surgeon near Praed-street, Paddington. I was sent for to Mrs. Stevens's on Tuesday evening, the 31st of March—I got there about five o'clock, or it might be a quarter before—I saw an infant there—I examined it—it was perfectly insensible—I smelt its breath, and could perceive the odour of laudanum—this bottle was shown to me—I examined it—there were a few drops more than there is in it now—it is pure laudanum I should say, from the smell and taste of it, and from what I see here—it is such as they sell in the shops for laudanum—the state of the child was such as might be produced by taking laudanum.

Q. What quantity of laudanum administered in that state would produce the effect you found? *A.* One drop has been known to do it—it is never safe to administer one drop to a child—one drop would not produce the effect I found, but one drop has been known to poison a child—a teaspoonful would—about sixty drops is an ordinary teaspoonful—that is rather a large dose—this bottle would contain about an ounce—half of it would be about half an ounce—a teaspoonful administered to an infant nine months old, such a baby as I saw, would be certain to destroy life—I gave it some medicine—castor oil would not be likely to do harm nor good unless it acted as an emetic—if it had, it might have done good—mustard and water would have been better—it appeared a hopeless case from my first seeing it—I first saw the prisoner on Wednesday morning—she came to Mr. Philpot when I was there, and said, "My poor little one is dead"—she asked if I was the gentleman who had seen the child—I told her yes—she said she was sorry to lose the child when it had attained that age—she then asked if there was likely to be an inquest—I said in all probability there would be an inquest, and asked her whether she had inquired into the mistake—(I had heard people talking about one medicine having been given for another)—she said yes, she had been to Dr. Reid's, and that Dr. Reid had told her it was his young man's mistake—she said the young man had given it in mistake for another mixture off the counter—I then left her.

Cross-examined. *Q.* Is the bottle precisely in the same state in which it was handed to you? *A.* Yes—it has rather evaporated—there might have been two or three more drops than there is now—there is now very likely one drop—there was about three times as much as there is now—the Coroner tested it—it has been very triflingly diminished by him.

Q. Are you able clearly to say that the mixture which is in this bottle has not been adulterated? *A.* I cannot say that for certain—if adulterated by water, whatever quantity was given would certainly produce less effect.

Q. If laudanum has been in a pure state in a bottle, and afterwards mixed with water, would the spirit remain, or would it amalgamate? *A.* It would if shaken together.

FREDERICK PHILPOT. I am a surgeon, and live in Upper Southwick-street, Paddington. On the evening of the 31st of March I went to Mrs. Stevens's house—I found my assistant there, and saw an infant which I examined—it was in a state of complete insensibility in a woman's lap in the room—it could not be roused—the pupils of the eyes were contracted—I

smelt its breath, but could not detect clearly at that time the odour of laudanum—the child had had two or three emetics given it before I saw it, but they had not operated—the stomach was insensible to all emetics—I attribute the state the child was in to a strong narcotic—laudanum would produce the effect I saw—every thing was done that could be done for it—I was shown this bottle, and examined it—there was a small quantity of laudanum in it—there was enough to enable me to form a judgment of it—I am convinced it is laudanum—one or two drops would be sufficient to destroy the life of a child in health—a tea spoonful would be quite sufficient—I afterwards made a *post mortem* examination—I found all the symptoms of poison by laudanum, by opium—I attribute its death to opium, laudanum—I have not the least hesitation in saying the child died by taking laudanum, from the symptoms during life, and the appearances after death—the prisoner came to the house in the course of the evening—I saw her—she said she was the mother of the child—I told her the child was labouring under the effects of laudanum—she asked me if I thought it would recover—I told her I thought it could not even live many hours—I then asked her respecting the medicine, and who had sent it to her—after some hesitation she told me that Mr. Reid, of Bloomsbury-square, had sent it to her—I asked her for what purpose Mr. Reid had sent the medicine, and if she knew the nature of it—she stated that it was some preparation of steel, and was intended to remove some offensive discharges from the bowels—I merely expressed my surprise that a medical man should send out that quantity of laudanum without a label, and shortly after left, leaving her there—about ten or between ten and eleven o'clock next morning, she came to our house, and told me her little boy was dead—I said it was an unfortunate occurrence—she said she had seen Mr. Reid—(she had stated on the over night that as the went home she would call on Mr. Reid to inquire into the mistake)—I asked her how he accounted to her for the mistake—she stated that Mr. Reid regretted the circumstance, and that he said it was a mistake of his young man's; that the laudanum was intended for another patient of his, a lady who was in the habit of taking it, and could not sleep at night—she owned then that it was laudanum—she expressed her regret at losing the child, after having reared it to that age at her own expense—I asked her if her mistress was aware of the circumstance, I thought she had better acquaint her mistress with the fact, as in all probability there would be an inquest, and her attendance would be required.

JAMES REID. I am a physician. I live in Bloomsbury-square—I know the prisoner—she was confined in Queen Charlotte's lying-in hospital last year—I procured her the situation of wet nurse in the family of Mr. Kelly—I never furnished her with any medicine for her child in March—none was furnished by my house to my knowledge—she did not call at my house on Tuesday evening the 31st of March to my knowledge—I did not see her at all—on Wednesday evening the 1st of April, a little after five o'clock, I found her waiting in my room, and asked if she had come with a message from Mrs. Kelly, who is a patient of mine—she said she did not, that she had a favour to ask me—(I had not then heard of the death of the child)—as she hesitated very much I inquired what it was—she then said that her child was dead, that a coroner's inquest would likely be held upon it, and that she wished me particularly to attend the inquest—I inquired if the child had met with an accident—she said it had—I men-

tioned that as I was not conversant with the facts of the case, my attendance would be of no use, but I would attend if I was summoned—she then hesitated a good deal, and stated that it was not at her own request exactly that she wished me to attend, that the child had had laudanum given to it by a child in mistake, and that the medical man who had seen the child said it would be necessary for me to attend—she made use of the expression, "If I am hanged for it, I could not support the child on my wages"—I then asked her the circumstances of the accident—she said she had sent some laudanum in a bottle to be given to the child, and that it had neither label nor direction upon it—recollecting she had mentioned that a child had given it laudanum, I said to her, "But of course you directed what quantity should be given, or was to be given"—she replied that she had directed a teaspoonful to be given at night—I then told her I was exceedingly sorry I had asked her the last question, and still more sorry that she had answered it, that if I was summoned on the coroner's inquest I should be on my oath, and should have to repeat the whole conversation—I advised her to say no more to me on the subject—I felt it my duty to communicate what I had learnt to Mr. Kelly, and she was dismissed from their service—she came to me on the Friday to inform me that she had been dismissed by Mr. Kelly, and to ask me if I had heard any thing about the coroner's inquest, and that, if there was to be none, would I intercede with Mr. Kelly to take her back again—nothing more passed then—on the Saturday evening I saw her again—she came to consult me professionally on the state of her milk—I gave her advice, and she then asked me if I had heard of the coroner's inquest—I had found a summons on my table the moment before to attend the inquest—I had just come in—I showed her the summons, and told her so—she asked me if she might call the next morning to inquire the result—I told her I should be happy to give her any professional advice, but on the other part of the subject I had rather she would inquire up at Paddington.

Cross-examined. *Q.* You state you are a physician, do you dispense medicines? *A.* I do not at present—I formerly did—I did not at this period—the prisoner was very seldom in the habit of being at my house about her mistress—she knew the house well.

COURT. *Q.* She knew that you did not dispense medicines probably? *A.* No, I think she did not—I was formerly a general practitioner, and she did not know that I had changed—I have made use of my diploma lately—I have had it many years—I have put "Dr. Reid" on my door now—before it was Mr. Reid—I did that on the second of April—the plate was off on the Tuesday.

MR. BALLANTINE. *Q.* You have told us a remarkable expression, that if she was hanged she could not support her child on her wages, were those the exact words she used? *A.* Yes—I feel some doubt as to the precise time at which she made use of that expression—I had not told her it was a very serious affair, or any thing of that kind.

COURT. Did that expression make any serious impression on your mind? *A.* It certainly startled me at the time.

Q. Was the expression merely, "I will be hanged if I can support it on my wages?" *A.* No—I am quite certain her words were—"If I am hanged"—the expression was so inapplicable to the previous conversation, I could not understand it myself—I went on talking to her—it was not till she had named a teaspoonful of laudanum that I began to suspect.

MR. BALLANTINE. *Q.* Do I understand you have no doubt the expression was used before she mentioned the teaspoonful? *A.* Yes, I have no doubt of that—I am quite sure it was before she said she had sent a laudanum in a bottle—I did not ask her whether the bottle had any label or direction—she seemed rather anxious to impress upon me that there was no label on it—I had recommended her to Mr. Kelly's family—I had a good opinion of her as a wet-nurse—I knew very little of her, except having been servant in another family—I believe she was seduced.

COURT. *Q.* You select wet-nurses from their physical qualities? *A.* Unless I know any thing of their moral character—I believe the common people administer laudanum very rashly—there is a great consumption of opium among the lower classes in London—they deal very rashly with that drug—the same as ardent spirits, they give it to children, and to children of a certain age it is poison, if they give a certain quantity.

WILLIAM JONES. I am a chemist and druggist, and live at No. 34 Tavistock-place, Russell-square—I know the prisoner—I have often seen her in my shop—she came to my shop one afternoon about the middle of March—she was alone—she purchased three articles, one was laudanum, the other acidulated drops, and the third I do not recollect—she had a small square bottle of laudanum—this bottle is very similar to it—it was the same size as this—she asked if I was in the habit of selling laudanum—I said, "I do sometimes spare it, but I always require to know for whom it is, and for what purpose"—she said her mistress, Mrs. Kelly, had desired her to ask if I would spare a small quantity, a shilling bottle—I said, "I suppose I must not refuse Mrs. Kelly"—I knew Mrs Kelly—I did not ask her for what purpose it was—she said her mistress was in the habit of taking it, being a bad sleeper—I put two labels on the bottle, "laudanum," "poison"—it was wrapped up in a piece of paper like this—(*producing a bottle*)—I am not certain whether it was sealed or tied—the cork was secured like this—when I gave it her I begged her to give it into the hands of Mrs. Kelly, and desire her to keep it under her own care—it was pure laudanum—I heard of the death of the child between Tuesday and Wednesday, at the end of March—I did not see the prisoner at all on Tuesday, the last day of March, nor on Wednesday, the first of April—she never stated any thing to me about any accident happening by means of the boy—I never advised her what quantity would be proper to give to any person.

Cross-examined. *Q.* You have not a bottle folded up as the one you gave the prisoner on the outside? *A.* No—a person unaccustomed to the trade cannot fold up bottles—it is not a common habit with me to seal them—I very rarely seal them—I do sometimes, certainly—sealing would confine the ends of the paper.

Q. Do you think a person not in your business could fold up a bottle in that manner, and seal the ends in the way you send it out? *A.* They could a bottle which had been previously wrapped up, they could wrap it up in the same paper, and seal it—it would not be so neatly folded—the labels were fastened on with gum.

FREDERICK FESTUS KELLY. I hold a situation in the Post-office, and reside in Hunter-street—the prisoner was in my service as wet-nurse.

JOHN MORTIMER BOWIE. I am a medical student. In March last, and the beginning of April, I resided in the house of Dr. Reid, as his boarder, not as an assistant—he had no pupils or assistant in the house

des myself—I saw the prisoner at his house on Saturday—I did not her there on the Tuesday before the Saturday—I never supplied her ı any medicine at Dr. Reid's—she never complained to me of any mis- e made in delivering medicine to her.

GUILTY. (*Strongly recommended to mercy by the Jury, conceiving there were some extenuating circumstances in the case, being seduced and thrown on the world.*)—Judgment Respited.

NEW COURT.—*Wednesday, April 15th*, 1840.

First Jury, before Mr. Common Sergeant.

1286. CHARLES DUNECLIFT was indicted for a misdemeanor.

MR. CLARKSON *conducted the Prosecution.*

WILLIAM PEDDER. I keep a book-stall, in Carnaby-street, Golden- uare. Some time ago I was indebted 1*l.* 13*s.* to a person named Scott, r which I received a summons—I attended the Court of Requests, at estminster, and was ordered to pay the sum in four weeks, with 3*s.* costs—I ent to the Court, I think, on the 28th of November, to pay the money, ıd saw the prisoner in the Court, opposite the place where the money ught to be paid in, where they call people's names over—I was looking bout, and the prisoner said to me, "What is your business?"—I said I ad come to pay in some money which I was sued for by Mr. Scott—I ıad the order with me, and showed it him—he said, "It is all right, I can ake your money; it will be perfectly right"—I had not known him be- ore, nor did I employ him—I understood him that he could take my money for the Court—I firmly believe he said he was an officer of the Court—he said he could take my money, and it would be perfectly right —he said he had not got a pen and ink there, but if I would walk with him over the way, he would take my money and give me a receipt for it—I went over the way with him, and paid him the money, because I believed him, from his own words, to be a lawful officer of the Court to receive the money—I paid it under no other impression—I paid him 1*l.* 13*s.* for the debt, and 3*s.* for the costs—he gave me this receipt on a card—(*read*) —"Received the debt and costs due to Mr. Scott, of the Gas Company, 1*l.* 16*s.* Charles Duneclift. Nov. 28"—when he gave me this card, with this receipt on it into my hand, I said, "Now, sir, is this perfectly right?" —he said it was perfectly right, and I should never hear any more of it— on the 9th of March a distress was put into my house for the same debt, and 8*s.* more costs, and I had to pay it twice over—I never saw nor heard any more of the prisoner.

Cross-examined by MR. PHILLIPS. *Q.* Did you go to the Court after- wards? *A.* No, he did not point out at all the place where the money was to be paid—I was never summoned in my life before.

CHRISTOPHER CUFF. I am the chief clerk of the Westminster Court of Requests. I am the proper person to receive money paid into Court there —there is no other person authorised to receive money—the prisoner had no authority to receive money, or to act in any way—an order was issued for William Pedder to pay the debt and costs, and it was not paid in— there are two orders up in the Court against agents receiving money.

GUILTY. Aged 38.—Confined One Year.

(There was another indictment against the prisoner.)

1287. ALBERT BAHN was indicted for a misdemeanor,

MR. CLARKSON *conducted the Prosecution.*

JOHN GEORGE SMITH. I keep an eating-house in High-street, Wapping. On the 26th of August the prisoner came to lodge at my house—I never knew him before—he represented himself as a ship-chandler, that he had taken a warehouse, and said he should be a permanent lodger for many years, he hoped—he was to pay me 15*s.* a week for board and lodging—he has not paid me one farthing, and he is my debtor for 75*l.*, as a loan—I had a Spanish certificate from a debtor named Newton, who had been engaged in the Spanish war—I got another certificate from Mr. Clark, of the Spanish Commission, in exchange for it—the one I got from Mr. Newton was for 27*s.* 6*s.* 5*d.*—it was a transfer similar to one I hold in my hand—I was in September last showing the document to a friend—the prisoner was at my house at the time my friend called—there was something stirring respecting this certificate—he thought there would be some interest likely to be paid—the prisoner said, "Have you got a Spanish bond, Mr. Smith?"—I said, "I have a transfer, or certificate, as they call it"—he said, "I should like to see it"—I said, "I can let you see it"—after my friend was gone I showed it to the prisoner—he said, (giving it me back again,) "If you like I will take it to my banker's to ascertain the value of it for you, as it may be useful to you at any time"—he said Messrs. Coutts in the Strand were his bankers—I told him I did not want money just then, nor want to part with it, but I said, "Whatever you do, do not take any thing on it"—I gave it to him again, and cautioned him not to make any thing on it—I would not take 19*s.* 11*d.* in the pound, because it would be paid some day, but he might inquire the day price on it if he liked—he took it, and said he should be going up to his banker's in the course of the day, and he would inquire—he afterwards said that if I liked, if I doubted it, he would give me cash for it—I said, "No, my own document is what I want"—he said, any time I wanted 100*l.* or 1000*l.* I should have it, that he had 2000*l.* standing at his banker's—I was out when he came home—I did not come home till the evening, and did not see him that night—I believed him to be a respectable person—I never asked him for his board and lodging up to that time, but I have latterly—two or three days after I gave him the certificate I said, "Respecting that transfer that I gave you to ascertain the value of, you have not given it me again"—he said, "Oh dear, I did not see my banker, he was not within, but at any time you shall have it"—we were to go to his banker's, but we could not go then—he said, "If you are afraid I will give you the cash"—I said, no, I wanted my *own* property—he said, "I will go and inquire about it"—(I have never had it since)—I went with him to Coutts's about a month after the transaction—he said he was going up Leadenhall-street, and asked me to take a walk with him—I went, and he went up and spoke to one of the clerks at Coutts's—I thought it was on business—that made me contented, thinking my document was safe at Coutts's—he was not apprehended on my premises—he was taken on another charge.

Prisoner. *Q.* Did you give me the certificate, or did your wife hand it over to me? *A.* I did—I know a gentleman named Miller—I have not seen him in this Court—I never offered him this bond to raise 20*l.* on—I gave it you to ascertain the value, and bring it me back—I sent my wife to two of my relations to borrow money on my own account—I never intended to raise 20*l.* on this bond.

COURT. *Q.* Did you give him this bond, or allow him to have it in rder to raise any money on it? *A.* No, by no means.

Prisoner. *Q.* Did you, in presence of your wife, request me to raise ıoney on it, or not? *A.* No—I have asked you for it a score of times—did not want 30*l.* for this, and 20*l.* more to send over prohibited machi-ıery—I went with you to Calais for a week's recreation—I did not take ıachinery there—you did not pay my bill to get me out of a bad house there —I did not tell you not to tell my wife—I took 10*l.* to France—you paid ıne days' expenses, and I the other—I swear that I never offered this ʒpanish certificate to any one to raise money, and never showed it to any ›ne but you—I solemnly swear I gave you this certificate to ascertain the ralue of it—I never gave it you for security for 30*l.*—you did not pay 15*l.* 10*s.* 6*d.* for me—I know nothing about any machinery—I let you ıave 20*l.* in gold, because I thought you were a respectable man, and you gave me the keys of his warehouse for security till the deeds were drawn up, with a prospect of going into partnership—I did not give a bond for security of 30*l.*—I did not tell you to keep it—I never inquired the market price—I trusted you with it, and to this present moment you did not offer it back if I paid you 30*l.*—you did not offer to give it me back on payment of 8*l.*—a stranger called on me, and said if I would pay 8*l.* the certificate should be forthcoming—no one called on me to induce me to bring this present charge.

SAMUEL CLARK. In April, 1839, I was employed as accountant in Mr. Black's office. I produce a copy of the original document, which I got by desire of the prosecutor—it is for wages due—they are properly called Spanish certificates—I have heard them called Spanish bonds.

JOHN BLENKINSOP. I am in the service of Coutts and Co., and have been so twenty-six years—during that time we never had such a name as the prisoner's in our books—we had no account with him in April, or any time—I have examined the books for years.

Prisoner. *Q.* If a person presented a cheque at your house, it would not take above five minutes? *A.* That depends on the nature of the cheque.

GEORGE SIMMONDS. I receive an annuity from government, and live in Richmond-buildings, Soho-square. I have known the prisoner seven or eight months—I met him in the City on the 1st or 2nd of January—he said he had purchased a Spanish bond for 27*l.*—that he was short of money, and should part with it again—he offered it me for a sum of money, but I do not recollect the amount—I did not purchase it.

Prisoner's Defence. I solemnly declare the bond was given to me as security for the payment of 30*l.*—the prosecutor stated before the Magistrate that he was not in want of money, and he now says he sent his wife to borrow some.

GUILTY. Aged 30.—Transported for Seven Years.

(There was another indictment against the prisoner.)

1288. JACOB ISAACS was indicted for a misdemeanor.

NOT GUILTY.

1289. PATRICK ROACH was indicted for a common assault.

GUILTY.

1290. PATRICK ROACH was *again* indicted for stealing, on th

of April, 2 coats, value 6*l.*; 1 pair of trowsers, value 1*l.*; 1 hat, value 10*s.*; and 1 handkerchief, value 6*s.*; the goods of Michael Doherty.

MICHAEL DOHERTY. I live in Bell-alley. I had the articles stated, in my box, I broke the key of it a fortnight or three weeks before the 6th of April, and I gave the articles stated, in charge of the prisoner's wife, who lived in the same house—I missed the trowsers, the coats, and other things—they are now here—the pawnbroker has them.

JOSEPH JOHN GOODE. I am a a pawnbroker. I have two coats and a pair of trowsers, which I took in of the prisoner on the 6th of April, which he said were his own property—it was between four and six o'clock.

Prisoner's Defence. I pawned them; I went out that morning at six o'clock to work; the prosecutor took my wife and made her drunk; and when I came home I found him and my wife in the act of adultery. I went to the fire, took up the poker, and gave him a pretty good share of it. I went out, and when I returned I asked my wife for some money; the prosecutor said I might take some clothes, and make money, which I did; and in the evening he got sorry about letting me have them; he asked me for the money, and the money was scattered between them.

MICMAEL DOHERTY *re-examined.* I did not permit him to pledge them, I did not know he had them.

GUILTY. Aged 63.—Confined Three Months.

ESSEX CASES.

Before Mr. Recorder.

1291. ROBERT WALKER, *alias Smith*, and JOHN RUFFETT, *alias Smith*, were indicted for stealing, on the 23rd of February, 1 work-box, value 1*l.*, the goods of Mary Ann Parker: and 2 pillow-cases, value 5*s.*; 4 yards of muslin, value 14*s.*; and 1 napkin, value 1*s.*; the goods of William Henry Parker.

ANN PARKER. I am the wife of William Henry Parker, and live at Plaistow with my brother, Thomas Gethin. I have a daughter named Mary Ann, who is fifteen years old. On Tuesday, the 25th of February, I delivered a work-box belonging to my daughter, and various parcels, containing linen, books, and other things, to James Wood, in Lothbury, to take to Plaistow—they were the property of my brother—I am not living with my husband, he is in Wales—this is the box and other articles which I delivered to Wood (*looking at them.*)

JAMES WOOD. I am a labouring man. Mrs. Parker delivered the work-box and other things to me, to take to Plaistow, on a Tuesday night—I cannot tell the day of the month—I saw the prisoners on the road, conversing together—I drew my cart up by the side of the road, about ten minutes' walk from the Black Lion, and asked Walker to mind my cart, which he consented to do—he and Ruffett were both in company together then, but on my return from where I went, to inquire for the house, Ruffett had disappeared—Walker was still there—I had been gone about ten minutes—I gave Walker some halfpence for taking care of my cart—I know these articles were safe when I left the cart, for in getting out I put my hand upon the box, which I had particular directions not to

get wet or spoiled—I afterwards missed the box—I did not know what the bundle contained—the things were taken out of it—I had other things in the cart—nothing was packed—they all laid loose in the body of the cart.

THOMAS BARTLETT (*police-constable K* 286.) On the 26th of February I was in Stratford, and saw the prisoners coming towards town—Ruffett had a bundle under his arm, apparently in the shape of a box—I suspected and watched them—they went into Mr. Lamb's, in the Broadway, Stratford, and came out in about a quarter of an hour, without the bundle—I immediately went up to them, and asked what they had done with the box they had had in their possession—they both said they had left it at Mr. Lamb's, who had advanced 1*s.* on it, and that they had found it in the New-road, going from Barking, a fortnight before—I asked if they had made inquiries about it—they said they had inquired all round Plaistow, and could find no owner for it—I took them back to Mr. Lamb's, found the box there, and took them into custody, on Walker was found a duplicate of some muslin and pillow-cases, pledged at Mr. Bressy's—I have not got the duplicate here, I gave it up after the second examination, but I have a receipt which they gave me for it—I got Walker to sign it.

Walker. We were out of the shop a quarter of an hour before we went back with you. *Witness.* It is false—I watched them out, and immediately went and stopped them—I had got about two hundred yards from Mr. Lamb's shop when I stopped them—I questioned them for about five minutes, and then took them back to Mr. Lamb's.

RICHARD LAMB. I am a jeweller at Stratford. The prisoners came to my house on Wednesday, February 26th, between one and two o'clock—they brought a work-box, and on asking them where they got it from, they said they found it on the New-road, leading to Barking, that a coach was on before, and they thought the box had dropped from that—I asked how long they had had it in their possession—they said nearly a fortnight—I asked if their friends knew they had found it—they said yes, and said they had been all over Plaistow to different parties to try to find out the owner for the box, but could not—I said I should not buy it of them, I thought I knew the party it belonged to—I said if they would call on Friday night, or the Saturday, after I had made necessary inquiries, I would tell them more on the subject—when they brought the box they wanted me to purchase it—I am sure they asked me to buy it—it was tied up with string, in brown paper, very carefully as if it was packed.

Walker. *Q.* Did we not ask you if you knew any owner for the box, when we came? *A.* I do not think you did—I did not state so at Lambeth-street—they said they were cold and hungry—I gave them 1*s.*, thinking if I could find the owner of the box, I should not be at the loss of the 1*s.*

CHARLES HENRY LAWES. I am shopman to Mr. Bressy, pawnbroker of Stratford. I have four pieces of muslin, two pillow-cases, and a napkin, pawned by a boy, apparently seventeen or eighteen years old—on Wednesday, the 26th of February, he asked me for 1*s.* 6*d.* on them—I lent him 6*d.*—I have no recollection of him—I firmly believe it to be Walker, but I will not be positive—Stratford is above a mile and a half or two miles from Plaistow—Mr. Lamb's is about a mile and a quarter from Plaistow.

Walker's Defence. I did not take them from the cart; I had the cart in my charge.

Ruffett's Defence. I was not there.

WALKER[a]—GUILTY. Aged 16.—Transported for Seven Years.

RUFFETT[a]—GUILTY. Aged 16.—Confined Six Months.

Before Mr. Common Sergeant.

1292. HENRY HEIDEN was indicted for feloniously breaking and entering the dwelling-house of Oliver Pain, on the 31st of March, and stealing therein, 1 watch, value 3*l.*; 1 watch-chain, value 6*d.*; and 1 seal, value 6*d.*; the goods of William Burgess.

WILLIAM BURGESS. I am foreman to Mr. Oliver Pain, of Broadway, Stratford, in the parish of West Ham. I had a watch on the 31st of March, which I saw safe at eight o'clock at night, in the drawer in the bakehouse, which is part of the house—I came back at eleven o'clock—it was gone—I immediately informed the police, and told my suspicions—the prisoner was taken into custody on the following morning—this is my watch, chain, and seals—(*looking at them*)—the bakehouse-doors were shut when I left it—I shut them after me—when I returned, they were still shut—our people go in and out there.

FRANCIS HEAPHY. I am a policeman. I took the prisoner into custody, and told him Mr. Pain wanted to speak to him—he did not ask me what it was for, but accompanied me to Mr. Pain, who told him, in my presence, that a watch had been stolen out of the bakehouse, belonging to his man, and that he, the prisoner, was strongly suspected—he said the watch was stolen between nine and eleven o'clock—the prisoner remarked, "I was in-doors at a quarter to ten o'clock"—there were foot-marks in the garden—he afterwards said that he went into the parlour, stole the watch, and put it into his boot—he pulled off his boot, and the property was found in it—he said he was sorry for it.

Prisoner. It is the first time I was in trouble; I throw myself on the mercy of the Court.

(The prisoner received a good character.)

GUILTY of Larceny only. Aged 23.—*Recommended to mercy.*
Confined Three Months.

Before Mr. Baron Alderson.

1293. GEORGE HARVEY was indicted for stealing, on the 6th of April, 1 gelding, price 6*l.*; 1 set of harness, value 10*s.*; 1 cart, value 4*l.*; and 3 pigs, value 3*l.* 19*s.*; the property of John Regan.

JOHN REGAN. I live at East Ham, in Essex, and deal in pigs, which I take about in a cart. On Monday, the 6th of April, I met the prisoner at the Duke's Head public-house, Walthamstow, about half-past twelve o'clock—he was generally about that house—I had three pigs in my cart, which had a pony to it, with harness on—I had to show some pigs to a lady, but I was taken very ill, and the prisoner said he would mind the cart, if I gave him a pint of beer—I asked him to take the horse and cart, and show the pigs to the lady—he was to have returned in a quarter of an hour, but I saw no more of him till he was in custody at Barnet—I never told him to sell the pigs, but to show them to the lady—the policeman afterwards showed me two of my pigs.

Cross-examined by MR. PAYNE. *Q.* Suppose the lady took a fancy to them—the price of two was 28*s.*, and the other, 24*s.*? *A.* Yes—he was to have a pint of beer when he returned.

CHARLOTTE WHITE. I live in Marsh-street, Walthamstow. About four o'clock on the 6th of April, the prisoner drove up to my door with a pony-cart and pigs—he asked if I wanted to buy a pig—I said I did—I went to the cart to look, and the one he put out he asked 25*s.* for—I gave him 23*s.*—I had seen him round with Regan's cart before—he said he was selling them for Regan, who was ill at the public-house.

Cross-examined. Q. Has Regan seen the one you bought? *A.* Yes.

ROBERT BURROWS. I bought a pig of the prisoner about half-past three o'clock—he had three at that time—he asked me 30*s.* for it—I offered him 29*s.*—I gave him 15*s.* deposit—I asked where Regan was—he said he was ill at the public-house.

Cross-examined. Q. Where is the pig now? *A.* At my house—I told him he should have the remainder of my money to-day, and if Regan did not like it, he might come and take the pig back—he had part of five pots of beer at my house—he was not drunk.

JAMES M'CULLOCH. I am a policeman—in consequence of information I followed the prisoner to Tottenham, and took him at Barnet, which is about twenty miles from Walthamstow—I found the horse and cart about three-quarters of a mile from where I found the prisoner—there was another man in his company who came from Walthamstow—they were both together waiting in a field where a booth was erecting for a fair—they appeared cooking a dinner—the last pig was sold there—the prisoner told me he had sold it for 18*s.*—I took him in charge and found a sovereign and a half in gold and fourpence in silver on him—he said he had had a pleasant time of it and seemed to enjoy himself very well—he said he did not mind coming back as soon as he had his last dinner; that he had sold the last pig, and that was all the money he had.

Cross-examined. Q. He was going to return the horse and cart when he had dined? *A.* Yes—there was a dinner cooking, and, I believe, for him—he seemed half drunk.

JOHN HUNT. I am a policeman—I saw the prisoner in custody—he said, in going along, "If you had not come down we should have sold the horse and cart," meaning himself and the other man who was with him.

Cross-examined. Q. Was not the other man in the cart? *A.* Yes—he was not drunk—at the time he made use of this expression, we were on our road home to Walthamstow.

JOHN REGAN *re-examined.* The pig he sold to Charlotte White was one I valued at 28*s.*—he would have to go past Burrows to go to the lady's—he was quite *solid*; if he had been drunk I would not have sent him—he was only to show the pigs to the lady—I told him the price, as he asked me what they were if she should ask him—he was not to sell them, only to see if they were the right size for the lady—she would not have bought of him—he was not trusted to sell them for me and receive the money—I would not have trusted him with the money—he was to bring the pigs back to me in a quarter of an hour, whether she liked them or not—I only mentioned the price as he asked me.

Cross-examined. Q. Suppose he had said the lady meant to keep two of them; would you not have been satisfied? *A.* I should have gone back to the lady to get the money—he was not to leave them—I did not send him to take the money—I have never sent pigs by another person and received the money myself.

(The prisoner received a good character.)

GUILTY of stealing the Pigs only. Aged 30.—Confined Six Months.

Before Mr. Sergeant Arabin.

1294. SARAH BURKE was indicted for stealing, on the 29th of February, 2 combs, value 5*d.*, the goods of Daniel Donovan; and 1 purse, value 6*d.*; 12 yards of ribbon, value 2*d.*; and five yards of net, value, 1*d.*; the goods of Henry Hunt, her master.

FRANCES SARAH DONOVAN. I am the wife of Daniel Donovan, and lodge with Mrs. Hunt, at East Ham—the prisoner came on the 28th of February, on liking, as a servant to Mrs. Hunt—she had no business in my apartments—on the 29th of February I lost two combs off my side-board—on the 6th of March my husband took her, and she gave these two combs out of her bosom—I have no doubt they are mine.

Cross-examined by MR. DOANE. *Q.* Did she attend on you? *A.* No—I used to shut my door at night.

ANN HUNT. I am the wife of Henry Hunt—the prisoner was in my service for two days—I lost a purse, twelve yards of ribbon, and five yards of net out of a muff-box where I had put them on the 27th of February—the box was in a room which the prisoner had to scour—I did *not know* the prisoner before, but I had seen her pass, and being a strong girl I thought she might suit me.

DANIEL DONOVAN (*police-constable K* 319.) On the 29th of February my wife told me what she had lost, and on the 6th of March I saw the prisoner in East Ham, with my wife's side-combs in her hair—I took her to the station-house—in going along, she took the side combs from her hair and put them in her bosom—when we got there, I asked her for them—she said she had none, but took them out and gave them to me—on the next day I went with Mrs. Hunt to the prisoner's father, where I found this ribbon and net.

GUILTY. Aged 17.—Confined Three Months.

1295. THOMAS GARRETT was indicted for stealing, on the 27th of March, 1 pair of boots, value 1*s.*, the goods of James Thomas Humphries: to which he pleaded

GUILTY*. Aged 16.—Transported for Seven Years—Convict Ship.

KENT CASES.

Before Mr. Recorder.

1296. SUSANNAH JANE CHEESEMAN was indicted for a misdemeanor.

WILLIAM WATTS. I am a draper, and live in Broadway, Deptford. On the 7th of February, between six and eight o'clock, the prisoner came to my shop, and requested to take some shawls to show Mrs. Collins, of King-street, Deptford—I asked if she came from Mrs. Collins—she said, "Yes," and I gave her two shawls—I think the price was marked on them—on the following day I sent Arthur Osborne to Mrs. Collins, and on his return I gave information at the police station-house—Mrs. Collins had been a customer of mine for some time—I had seen the prisoner at my shop once or twice before—I gave credit to her representation that she came from Mrs. Collins, and parted with them for no other purpose than for her to show Mrs. Collins.

Cross-examined by MR. PAYNE. *Q.* Did you make a memorandum of the conversation between yourself and her? *A.* I did not—I believe her

words were, "I want to take some shawls to Mrs. Collins, in King-street, Deptford"—that is as near as I can recollect—I inquired what sort of shawls she wanted, and I believe she said they were to be good ones—the two were worth from 64*s.* to 65*s.*—I believe this to be one—(*looking at one*)—they were both very nearly alike—the ticket has been taken off—one was found on the prisoner, and the other at the pawnbroker's.

ELIZABETH COLLINS. I am the wife of John Collins, a traveller, and live at No. 5, King-street, Deptford. I have known the prisoner four years—I did not send her on any message on the 29th of November last—I know Mr. Watts—I did send her there for some linen on the 25th, which was the first time she came to work in my house—I had a child dying on the 29th—I did not send her for any thing on the 7th of February—I never saw her between November last and the 7th of February—she did not bring any shawls to me—I never authorised her in any way to apply for them.

Cross-examined. Q. What are you? *A.* A married woman I think—the prisoner was with me four days, from the 25th of November to the 29th—she came at ten o'clock in the morning, and left at night—she left earlier on the 29th, because my baby died that night—I did not see her again till I saw her before the Magistrate at Greenwich, when the duplicate of my watch, chain, and seals, was found on her—I was never before a Magistrate in my life—I keep a lodging-house.

Q. Is it a house of such description that young men and women come without your knowledge and sleep there? *A.* A gentleman may come—I do not allow strangers to sleep there—I consider it a proper moral house—I do not consider it an immoral house, unless I am taken before a Magistrate—I was brought here to prosecute the prisoner last Sessions, and gave evidence against her—perhaps I might have said on that occasion that I did not consider mine a proper moral house—I have come to state the truth—I may very likely let lodgings in this way when my husband is at home—I did not say last time that I had eleven children—I said I was the mother of eleven—I have eight now—I married a gentleman, but misfortunes may overtake you as well as me—the prisoner is a straw-bonnet and dress-maker—I knew she was a gay and unfortunate girl—she was frequently at my house, because her mother was committed to Maidstone gaol for starving a child to death, and she had nowhere to go—that was not the reason why I let her live in my house, but she had nobody to take care of her at home—I swore to the property at the last trial, and here is part of it round my neck now—I was shamefully treated last trial—I had not a *vestige* in me, I had not a feeling about me but what was numbed.

Q. You did not get the watch, did you? *A.* Oh, but she got it—I could bring forward the man that put my initials on it—I got the chain, and she got the watch—I take in married women and their husbands, and perhaps single girls and their husbands.

RICHARD PARRY. I am a pawnbroker, and live in Flagon-row, Deptford. I produce a scarf which I took in of the prisoner, on the 7th of February, between seven and eight o'clock in the evening, in the name of Jane Cheeseman—I knew her before—I lent her 14*s.* on it—I asked her if it was her own property, and she said, "Yes."

Cross-examined. Q. Do you know Mrs. Collins? *A.* I never saw her till she was at the office.

BENJAMIN LOVELL (*police-constable K* 15.) On the 8th of February I received information, in consequence of which I apprehended the pri

on the 12th or 13th of February, in High-street, Woolwich, three or four miles from High-street, Deptford—I met her with another female, named Thurley—I told her I wanted her—she asked what for—she had this shawl on—Mr. Watts, who was with me, laid hold of the shawl, and said, "That is one of my shawls"—I told her she had better come to Mrs. Thurley's house—we went there, and I said she must go to the station-house—she said, "Mr. Watts, I hope you will forgive me; I know I have done wrong; I intended to pay you, and will pay you now"—I asked if she had any duplicate—she said, "No"—Mrs. Thurley said, "Yes, you have"—I found she had sent the duplicate to her mother's—I went there, and found the duplicate of the other shawl—she said she had sent 10*s.* 6*d.* to redeem the shawl—she said she met a female, who over-persuaded her to pawn the shawl, and she gave her the 14*s.*, as she was distressed, and she would suffer any thing sooner than tell who the female was.

Cross-examined. Q. Did you hear Mrs. Collins examined on the former occasion? *A.* Partly—I do not think I heard her cross-examined—she keeps a house for gentlemen and females to go to—it is a house never complained of—I should certainly call it a b—— house—I have lived in the same street eleven years, and never heard a disturbance there.

WILLIAM WATTS *re-examined.* I believe this to be the same shawl—I went on the Monday following to the pawnbroker's to inquire about the shawls, and, among others, to Mr. Parry's, who had previously denied having any shawl pawned at his house—the person I saw at Mr. Parry's said he was perfectly certain nothing of the sort had been taken in.

RICHARD PARRY *re-examined.* When Mr. Watts came to my shop I was not at home—he asked for two shawls—this is called a scarf—if he had said a scarf, they might have looked for a scarf—I took the shawl in myself.

(Harriet Loseley, wife of a carpenter in Cornwall-road, gave the prisoner a good character for honesty.)

GUILTY. Aged 19.—(*Strongly recommended to mercy on account of her previous good character, and the disreputable character of Mrs. Collins.*)—Judgment Respited.

1297. THOMAS GIBBON was separately indicted for uttering three forged orders for the payment of 5*l.* each, and three orders for the delivery of goods; to all of which he pleaded

GUILTY. Aged 40.—Transported for Seven Years.

Before Mr. Common Sergeant.

1298. ALFRED COLEMAN and BENJAMIN BUTTON were indicted for stealing, on the 10th of March, 2 window-guards, value 2*l.*, the goods of Hill Dodds.

HILL DODDS. I am landlord of the Prince Regent public-house at Deptford. On the evening of the 10th of March, from information I received, I ran down Effingham-place, and saw my boy running after the prisoner Coleman, who had part of these brass window-guards in his hand, which had been stolen from my house—they were worth 2*l.*

Cross-examined by MR. CLARKSON. Q. Do you know where Coleman was lodging? *A.* I have heard since that he was lodging somewhere in Whitechapel—I understand there was another person taken up, who came to give Coleman a character—I saw that person, but I did not hear him give an address to the Magistrate—he represented that he lived in High

reet, Greenwich—from the inquiries that have been made, and the result f them, I really believe that Button had nothing to do with this transction.

BENJAMIN LOVELL (*police-sergeant R* 15.) On the 10th of March, bout nine o'clock at night, I saw the two prisoners looking in at the shop window of Mr. M'Lallan, a jeweller in Broadway, Deptford—I am certain hey are the persons—I had never seen either of them before—they left there, and went down High-street, and just before ten o'clock they were both brought to the station-house.

Cross-examined. *Q.* Were you before the Magistrate? *A.* I was—I am not aware that the Magistrate wished to discharge Button—he wished to admit him to bail, but he did not express any reason in my presence—to the best of my judgment it was about five minutes before nine o'clock when I saw them at the shop-window in the Broadway—I will not swear that it was not ten minutes before nine o'clock, it was not a quarter before —a person came down two days running to give Coleman a character, and I took him into custody—he gave an address, which was a false one—I went and found he lived in Lambeth-street, Whitechapel—no other part of the brass has been discovered.

JURY. *Q.* Was there any thing in their appearance when you saw them at the shop-window, which makes you know them again? *A.* Nothing particular, but I had a reason for noticing them.

COURT. *Q.* You have seen the person who came to give a character to Coleman, are you able to say whether he was or was not the man who was with Coleman looking through the window? *A.* No, he was shorter than Coleman—I will swear the two prisoners are the two who were looking in at the shop-window.

JOHN FARQUHARSON (*police-sergeant R* 2.) On that Tuesday night, at a quarter past nine o'clock, I was going down High-street, marching the night relief along, and saw the two prisoners—one of them was at a public-house door, and the other talking to two females—as they were strangers to me, I took a sharp sight of them as I was going by—I had never seen them in that quarter before.

Cross-examined. *Q.* Have you made any inquiry about these men? *A.* No—I was present when the Magistrate expressed a wish to discharge Button on bail—there was a third person taken by Lovell, but I was not there—I cannot tell who preferred the charge against him—I thought I had seen Button once before, and asked him whether he recollected seeing me about Greenwich—he said he thought he had.

JOHN EVANS (*police-constable R* 190.) I produce a piece of brass guard, which I got from Tanner—I took Coleman into custody—when I got about five yards from the corner, Tanner pointed out Button, and I took him—it was then about twenty minutes past nine o'clock, as near as I can guess—Button denied all knowledge of the charge—he said he had been to see a friend, and then to take a walk, and had no knowledge of Coleman.

Cross-examined. *Q.* Was any other brass found but what you got from Tanner? *A.* No—nothing was found on Button—I did not see Caroline Thompson that night—I never heard from her, or from any body, that she said she could not speak to Button—she was produced on the morning after the robbery—I never made a mistake about the identity of a person in my life.

CAROLINE THOMPSON. I am the daughter of Jarvis Thompson, who lives in Pleasant-row. On the night of the 10th of March I went for a pot of beer to Mr. Dodds's, between eight and nine o'clock in the evening—I saw the two prisoners and two young women talking together—I am sure the prisoners are the two men—I then went into Mr. Dodds's to get the beer, and there was a person there I knew—I stood there a good bit, as they were serving some more persons—I went to the door to see if a person was coming home to our house, and saw Coleman standing by the window, looking in—I kept my back to the counter, and saw him unhook the brass guards, and run down Effingham-place with them—I am sure Button was the other person who was standing with Coleman and the girls when I went in.

Cross-examined. Q. Did you go to the station-house? A. I told Elizabeth, the bar-maid, and Mr. Dodds's pot-boy came for me the next morning—I had never seen Button before—I did not say that I was not sure of him, nor that I could not be sure about him—I never said that, to my knowledge—I never said that I had a doubt about it—I did not know Lovell before this—he has not talked to me about this before I came here.

Q. Did you never talk to him at all about Button since you have been here? A. I cannot swear to that—I do not know that he said any thing to me about Button—he might, or he might not—I do not think he asked me if Button was the man—I did not say to Lovell, or to any one, that I was not certain Button was the man—I am quite sure he is the man, because I saw him.

JOSEPH TANNER. I am servant to Mr. Dodds. Caroline Thompson gave an alarm, and I heard a cracking, like the breaking of tobacco-pipes—I ran out and saw the two prisoners breaking up our brasses—I am quite certain of their persons—I seized Coleman, and got this brass from him—he dragged me down Effingham-place, and threw me over the wagon-shaft—my master came up, and he was taken—Button stopped in Effingham-place, and came back—Coleman spoke to Button, and then Button got into the crowd—as they were taking Coleman to the station-house, I looked round and saw Button.

Cross-examined. Q. When you were before the Magistrate did you say a single word about Button coming back to Coleman, and speaking to him? A. Yes—I do not know whether it was taken down—I did not hear it read over—my master was present when the prisoners spoke to one another—no brass was found on Button—he said he knew nothing about it—Coleman said he would *punch* my head if I did not let him go.

JURY. Q. When you went out and caught Coleman, was there light enough for you to see the other prisoner? A. Yes; it was gas-light.

MR. CLARKSON *called*

MARY ANN ALLEN. I am sixteen years old. Button's father is a shoemaker, and lives in London-street, Greenwich—Button has been lately working for his father—my mother does shoe-binding, and lives in the next street to Button—on the night on which Button was taken he came to our house, about ten minutes past eight o'clock, with a pair of shoes which he had been repairing for my brother—I asked him to stay, and he staid till between half-past eight and twenty minutes to nine—I

had a cousin there and a little baby—the children were in the house, and Button was nursing one of them.

TABITHA BALLS. I live next door to Mrs. Allen. On the night that Button was taken I saw him coming out of Mrs. Allen's house—I think it wanted twenty minutes to nine—I wished him good night, and he said, "Good night, Mrs. Balls"—he is subject to fits, and I said to him, "Benjamin, if I were you I would take a bit of a run"—he said he thought he would—he was then alone.

MARY COLLINS. I live at Deptford. On the 10th of March I had been to London to inquire for a situation—I was returning home, and I met Button near Mr. Peart's, Broadway, Deptford, about five or ten minutes past nine o'clock—he was alone—I am sure it was as late as five or ten minutes past nine o'clock.

COLEMAN—GUILTY. Aged 21.—Confined Three Months.

BUTTON—NOT GUILTY.

1299. THOMAS POPKINS was indicted for stealing, on the 18th of March, 1 pair of boots, value 8*s.*, the goods of John Chew.

JOHN CHEW. I live in French's-fields, Deptford. I missed a pair of Wellington-boots, which hung outside my door on the post, on the 18th of March—these are them—(*looking at them.*)

RICHARD WILLIAM WEBB. I am assistant to a pawnbroker, in the Broadway, Deptford. These boots were pawned by the prisoner on the 18th of March

GUILTY.* Aged 14.—Confined Ten Days, and Twice Whipped.

1300. ELLEN SMART was indicted for stealing, on the 9th of April, 14 yards of calico, value 5*s.*, the goods of Samuel Howes.

SAMUEL HOWES. I live in King-street, Deptford. On the 9th of April I lost fourteen yards of calico from outside my door—this is it.

JOHN EVANS (*police-constable D* 190.) On the 9th of April, about nine o'clock in the evening, I saw the prisoner near the prosecutor's door—I saw her walk from the door a few yards, then return, place her back against the calico, and begin pulling it down with her hand behind her—I took her, and found it on her.

Prisoner. I had had a drop of ale, which overcame me.

GUILTY. Aged 24.—Confined Three Months.

Before Mr. Sergeant Arabin.

1301. WILLIAM THOMPSON was indicted for stealing, on the 8th of April, 13 plates, value 1*s.* 6*d.*, the goods of John Roberts.

CHARLOTTE ROBERTS. I am the wife of John Roberts—we keep a china-shop in the Broadway, Deptford. On the 8th of April we lost these plates from the step of the door—I did not see who took them, but the policeman brought them back, and I then missed them.

Prisoner. *Q.* Can you swear to these plates? *A.* Yes—we know our maker's make—I thought there was about a dozen, but there are thirteen.

DANIEL REDDEN. I keep a lodging-house at Deptford—the prisoner brought these plates to me, and I told him to take them away, because he said he had *pulled* them—he did not ask me to buy them.

JOHN PROVIS. I took the prisoner in Mill-lane, Deptford—I saw these plates on his table—he said they were his—that he had purchased three dozen in London, and these were the remainder.

Prisoner's Defence. There are thousands of this kind in London—I bought them, intending to sell them on the road.

GUILTY. Aged 59.—Confined Six Weeks.

SURREY CASES.

Before Mr. Recorder.

1302. EDWARD DADSWELL was indicted for stealing, on the 28th of March, 35 sovereigns, and 10 half-sovereigns, the monies of James Moore, his master, in his dwelling-house.

JAMES MOORE. I keep the Goldsmiths' Arms public-house, Southwark Bridge-road. The prisoner came into my service on the 2nd of March, as pot-boy—on the 28th he was employed to clean the bar—I keep my cash-box in the cupboard in the room, and he saw it that day—I went out in the afternoon for a quarter of an hour or twenty minutes, and when I returned, the cash-box was on the table, where I had not left it—I replaced it in the cupboard—in the evening I went to it, and missed this gold—the key had been on the mantel-piece, in a chimney ornament, but I found it in the box—the prisoner left the house almost directly after I returned, and absconded—he had seen where the key was that day—I gave notice to the police—I missed about 40*l.*—I had counted the gold the night before, and had seventy-one sovereigns besides 15*l.* in notes—I paid none away—I found thirty-one left.

MARY MOORE. I am the prosecutor's wife. On Saturday, the 28th of March, I had occasion to go to the cash-box while the prisoner was cleaning the window—I took a half-sovereign out, and locked the box again, and placed the key in the chimney-ornament, on the mantel-piece, put the box in the cupboard, and locked the door, but left the key in the lock—I went out, and returned in about three-quarters of an hour—the prisoner turned round and looked at me at the time I put the key away—I observed that—he left an old jacket in his bed-room when he went away—he was taken on Sunday morning—he lodged at our house.

BARTHOLOMEW KING (*police-constable R* 176.) On Monday evening, the 30th of March, the prisoner was brought to the station-house by a policeman, from Woolwich—he was locked in a cell—he knocked at the wicket of the cell-door, about ten minutes after I had been to him, and asked me if he could have any thing to eat—I said, "Yes, if you have any money"—he gave me a half-sovereign—I told the inspector, and he said, "Ask him if he has any more"—he said no—I went to him—he said the inspector of Woolwich had given him the half-sovereign to find him in provisions while he was remanded.

SARAH MOORE. I am the prosecutor's daughter. On the 28th of March I was left in charge of the bar while they went out—nobody had access to the bar-parlour except the prisoner, while I had charge of it—he was in the bar-parlour while I went out—he could get from there into the bar—I did not notice him touch any thing.

DANIEL RIERDON. I am a policeman. I conveyed the prisoner from the Magistrate's office to the station-house after his examination—he asked me if I knew what the Magistrate was going to do with him—I told him I did not—he asked if they were going to commit him for trial at Maidstone—he said he did not wish they would, as his poor mother lived at

Maidstone—he said, "My master has sworn I stole forty sovereigns—he has sworn false, for I took but fifteen—it struck me all in a moment, the key was in the box at the time, and if more has been taken out of the box, it was taken by the servant or somebody else"—I said nothing to induce him to say this.

EDWARD PALMER. I am a policeman. On Sunday, the 29th of March, I apperhended the prisoner at Woolwich, and found 4*l.* in gold, 6*s.* in silver, and 3½*d.* in copper on him—he had new clothes on, and a silver watch—he wanted me to go to his brother—I asked, while I was searching him, if that was all—he said, "I have a parcel at my brother's"—I went there—they gave me a parcel—I said, "I want the money as well"—the sister opened a box and gave me a purse containing 3*l.* in gold, and some silver—he told me he had paid 5*l.* for his clothes—I got about 7*l.* 7*s.* altogether—I did not give him the half-sovereign—I stripped him at the station-house, and found none.

GUILTY.† Aged 16.—Transported for Ten Years.

Before Mr. Baron Alderson.

1303. ELLIS COWARD was indicted for killing and slaying Charlotte Small.

MARY ANN CURRY. The child, Charlotte Small, was by a former husband—the prisoner is landlord of my room. On Monday, the 2nd of March, I came home, and found the room-door locked—it was fastened outside, and something put into the key-hole—the prisoner was on the stairs—he said, "Mrs. Curry, have you any money for me, if you have not, I am o— if you go into your room again—I have fastened the door up"—I went into the room through my mother's room, which is the next to mine, on the ground-floor, and there is a door from it into my room—the prisoner went out into the street, and got in through the window, attacked me, and pulled me down, and tried to get me out of the room, between the two doors—he wanted to push me through the middle door to get me out of the room—he jammed my arm between the door—my child came and pulled hold of my petticoats, and said, "You will kill my mother"—he took the child by the throat, and dashed her against the grate—her head fell against the fire-place, and her back over the fender—she was very much injured—she was quite well before this, but was very ill the same night, like a burning coal, and complained of pain in her stomach all the evening—so she continued till the following Monday—I got her some medicine in the course of the week, and on Monday she brought up blood—I took her to Mr. Buck the doctor—she vomited blood again on Wednesday, and I took her again to Mr. Buck, and on the Thursday I took her to the Dispensary in Waterloo-road—she had advice there three days, and she died on the Saturday.

Cross-examined by MR. BALLANTINE. *Q.* Are you married? *A.* Yes—my husband is here—he was at Hounslow at that time—two children were present, Mary Ann Small and Charlotte Small, when this happened—the medical man who attended her first is not here—it was not desired that he should be here—the child has never had a day's illness except head-ache—two years previously it fell out of the window, but nothing to hurt—it was taken to the hospital, but it was playing the next day—it fell on its hands and knees on the stones—I was struggling with the prisoner,

I owed him 10*s.* 9*d.* rent—my face was to the door, and when I turned to the fire-place, the child was standing up all in a tremble.

COURT. *Q.* Did you see any part of the child strike the grate? *A.* No—I saw him push it—I do not know whether it struck the grate or the fender.

EDWARD EVANS. I examined the body of the child after death—I never saw it alive—the chest and abdomen were very healthy, except a small portion of the lungs adhering to the chest—that would not cause death at all—I found the blood vessels of the head very much coagulated, and a quantity of water in the cavities of the brain, which was the cause of death—many causes would produce that effect, such as a blow on the head, or a fall on the head, and dentition with young children might cause it, or when the stomach and bowels are not in good order—it had all the teeth a child of that age would have—they were all quite cut, and had been so, I dare say, for a year—dentition could not produce the effects I saw in that child—a blow on the head, or disease of the stomach, *might* produce it—there was no symptom of disease of the stomach at all—the child appeared to have enjoyed very excellent health—if it was thrown with violence by the throat, and the head went against the fender or stove, concussion of the brain would be the consequence, and that, jointly with the terror of the child, would be sufficient to produce death—if the child was quite well before, I should judge that that violence was the cause of it.

Cross-examined. *Q.* Would excessive terror effect this alone? *A.* I believe it would—terror at seeing the mother ill used might cause unusual sensation in the brain which would bring on reaction, and the same appearances would ensue—I should say that trembling violently was one of the sufficient causes to produce the effect—I must have observed the stomach to be out of order if that had been the case—I saw nothing *in the* state of the stomach which should cause the child to complain of pain in it—if the head is bad for two or three weeks, the stomach generally becomes weak, and sickness would ensue from compression of the brain—that would account for violent pain in the stomach—all the symptoms I perceived could be accounted for by terror and anxiety—I saw no external marks of violence, but it must have got well in three weeks—the parents did not point out any place where I could discover a mark—they pointed out a scar on the left part of the throat, which had evidently not been long there—it might have been five weeks, I cannot say—I have no doubt the symptoms about the brain and head arose from a recent cause—it could not have arisen from a blow six months previous—no doubt a previous accident would produce a predisposition for such a cause, if the brain was then affected, but if the functions were all right it would not.

COURT. *Q.* If the child fell out of window, and was playing about next morning? *A.* I should say that injury was of no consequence whatever, and would not produce predisposition—all the symptoms I perceived might be produced by fright, but it is most probable that the head fell against some solid substance, and caused concussion of the brain.

MARY ANN SMALL. I am going on for ten years old—I saw my mother struggling with the prisoner, and saw my sister Charlotte come up to her—the prisoner took her by the throat, and threw her right against the fire-place—the back of her head touched the stove, and her back was on the fender—I am sure of that.

Cross-examined. Q. Have you been talking a great deal to your mother about this? *A.* No—she did not tell me my sister's head fell against the fender—I saw it—I was standing against my sister—my mother had her face towards the door, and her back to the fire-place—my sister took hold of my mother's gown behind—the prisoner was shoving my mother—he did not get her through the door—she turned round and saw my sister shaking—she jumped up directly she was thrown there.

MR. BALLANTINE *to* MRS. CURRY. Q. When did you first make any complaint about this? *A.* I could not get any money till the following Saturday, and then I took a warrant out—I made a charge against the prisoner for assaulting me and also for assaulting the child—I did not get a warrant out for the assault of the child, but I did for the assault of myself.

MR. BALLANTINE *called*

HENRY COWARD. I am the prisoner's son, and am thirteen years old. On Monday, the 2nd of March, when Mrs. Curry came home my father asked her for her rent, and said she should not go into the room before she gave him some rent—she went to go in and broke open a middle door, and jumped in—my father jumped in at the window, and said she should not take any thing out before he had some rent—I did not see him do any thing to her or lay hold of her.

(The prisoner received a good character.)

GUILTY. Aged 44.—*Recommended to mercy.*—Confined Three Months.

1304. JOSEPH LEWIS was indicted for feloniously killing and slaying John Brook Davies.

WILLIAM DWYER. I live in Taunton-place, Brunswick-street—the prisoner is a bricklayer and builder. On Saturday, the 22nd of February, I heard a cry out that a man had fallen into a hole—I went and found the deceased had fallen down a hole, and somebody with him—I asked the parties who were down with him if I could render any assistance—they said, "Not at present"—I went in doors to get my hat, and when I returned the policeman had come up and got him out of the hole—he was sitting by the side of the hole—the policeman took him in a *cab* to St. Thomas's Hospital—I believe the prisoner was building in that spot.

JOSEPH BUTLER. I knew the deceased—his name was John Brook Davies—he was my clerk—he was fifty-five years old—I went to see the hole he fell into on the following day—it was left quite open—it was in the foot-path—there was nothing to protect people from falling in.

Cross-examined by MR. PHILLIPS. Q. You say there was no protection on the 23rd? *A.* On the Sunday—I had not seen it before.

WILLIAM PAUL. I was building some houses adjoining when this happened. On the night in question there was no protection put to this hole—there had been a pole put up for two months at my three houses, a short distance from where this occurred, and my cellars had been turned over about nine days—I am certain the pole was there till then, but afterwards I am not sure of it—this pole would prevent people from coming to this place, as they must pass my place to get to it—there was a pole at the end of this place at the time this accident occurred—while my pole was up nobody could have passed along there—I thought the pole was up at the time, and if it had been up a person could not have come on my ground and therefore could not get to this ground—it was frosty weather, and the

men had not been to work that Saturday—the prisoner was superintending his building himself—my men had not been to work on Friday and Saturday—I saw the prisoner at his premises on the Saturday—I did not observe then whether the pole was up or down—it having been there so long I considered it was up—when I heard of the accident I said, "How could the man have got there? he must have got over a quantity of bricks or over the pole," as I thought it was still up—I know a pole had been put up by the prisoner.

JOSEPH PAUL. I was within twenty-five yards of the hole the same evening—I heard a cry of "Police," went up, and saw Mr. Davies sitting on the mould—I did not see whether the pole was up or down.

EDMUND M'DONALD. I am a policeman. I saw the hole which I took the deceased from the side of—there was no pole there that day—I live in the same street—I am certain there was no pole there when I was called—I had not taken notice before that day—I frequently saw the place—I never noticed whether there was a pole or not—one was put up on the Monday following to prevent accidents. NOT GUILTY.

Before Mr. Sergeant Arabin.

1305. THOMAS WALKER was indicted for stealing, on the 16th of March, 3 shirts, value 6*s.*; 1 flannel-shirt, value 2*s.*; 1 pair of drawers, value 2*s.*; 2 handkerchiefs, value 4*s.*; and 1 stocking, value 9*d.*; the goods of Charles Civill.

CHARLES CIVILL. I belong to the ship *Felicity*, which was lying in Gould's Dock—the prisoner, who was mate, was paid off in February—before he left he went with me, to take the articles stated in this indictment to be washed—soon after, he left the ship, and when I went for my clothes they were gone—from what the washerwoman told me, I suspected him, and about six weeks after I saw him on board a vessel, as we were going down the river—he told me he had got some clothes of mine—*I said* I knew he had, and collared him—he went down below, and pulled my clothes out of his box, all but one stocking, which he could not find—I gave him in charge—these are my clothes—I never gave him authority to get them from the washerwoman—they were clean when he got them, and he has worn them.

JOSHUA JUDGE. I am a Thames police officer. I took the prisoner—I asked him how he got the clothes—he said he got them from the washerwoman, and he had done wrong, but was drunk at the time—he said the prosecutor did not allow him to get them.

Prisoner's Defence. I went with him, and left some things of my own to be washed, and when I went for them the washerwoman asked if I would take his things, as we both belonged to one vessel. I took them. I got tipsy, and the vessel he was on board of left the dock that night. I then went on board another vessel, and when I returned I saw the prosecutor going by in a boat; I hailed him to come and fetch his things. I said I had worn them, as I was short of linen; but I would make him any recompence; he would not take less than half-a-sovereign; that was more than they were worth, and he gave charge of me. NOT GUILTY.

Sixth Jury, before Mr. Common Sergeant.

1306. HENRY DRIVER was indicted for stealing, on the 3rd of March, 1 jacket, value 10*s.*; 1 pair of trowsers, value 5*s.*; 1 pair of shoes,

value 3*s.*; 4 stockings, value 2*s.*; 2 handkerchiefs, value 1*s.*; 1 knife, value 6*d.*: 2 shillings, 1 sixpence, and 5*d.* in copper money, the property of Robert Samuel Pearson.

ROBERT SAMUEL PEARSON. I am a rafter in the Commercial Dock, and live with my mother, in Russell-street, Rotherhithe. The prisoner came to lodge there on the evening of the 2nd of March—he slept with me that night—I got up at half-past six o'clock next morning, and went to work, leaving him in bed—I did not miss my clothes till that evening, when I went to put them on—they had been hanging up in the room where we slept—these are my jacket, trowsers, and shoes—(*looking at them.*)

CHARLES HENRY FALCONER. I am an officer. The prisoner was given into custody to me—I found on him two duplicates, which led to where these articles were.

JAMES WALTER. I am a pawnbroker, and live in Thornton-street, Rotherhithe. This jacket and trowsers I took in from the prisoner on the 3rd of March.

THOMAS BAKER. I am a pawnbroker, and live in Free-school-street. I took in a pair of shoes of the prisoner, on the 5th of March.

Prisoner's Defence. I got up at seven o'clock and missed my money out of my pocket; I did not know what I should do, and took his things to the pawn shop (not knowing the English law) to get my money back again.

GUILTY. Aged 36.—Confined Four Months.

1307. MARY SEARSTON was indicted for stealing, on the 19th of March, 1 coat, value 3*l.*; 1 pair of breeches, value 1*l.*; 1 waistcoat, value 9*s.*; 2 frocks, value 6*s.*; 4 yards of linen, value 6*s.*; and 1 shawl, value 2*s.*; the goods of Eli Webb, her master; and that she had been before convicted of felony.

ELI WEBB. I keep a beer-house at Clapham. The prisoner was in my service for six months—she left on the 19th of March without notice—I went up stairs, and missed a coat, waistcoat, and the other articles which are here, and are my property.

HENRY DENMAN. I am in the service of Mr. Folkard, a pawnbroker at Vauxhall. These articles were pledged by the prisoner at different times previous to the 19th of March.

CHARLES BURGESS GOFF (*police-constable L* 31.) I produce a certificate of the prisoner's former conviction, which I got from Mr. Lawson's office, the clerk of the peace for Surrey—(*read*)—the prisoner is the person.

GUILTY. Aged 24.—Transported for Seven Years.

(There was another indictment against the prisoner.)

Before Mr. Sergeant Arabin.

1308. WILLIAM CASEMORE was indicted for stealing, on the 12th of March, 4lbs. weight of flour, value 9*d.*, the goods of William Parsons, his master; to which he pleaded

GUILTY. Aged 39.—Confined Three Months.

Before Mr. Common Sergeant.

1309. WILLIAM HENRY LONG was indicted for stealing, on the 13th of March, 1 sack, value 2*s.*; and 4 bushels of tares, value 30*s.*; the goods of Francis Nash and another, in a barge in the navigable river Thames: and GEORGE JOHN VANDERVORDE, for feloniously re-

ceiving the same, well knowing them to have been stolen; against the Statute, &c.

MESSRS. CLARKSON AND PAYNE *conducted the Prosecution.*

WILLIAM DRUMME. I am fifteen years old. I am in the employ of William Betts—her son employed me on board her barges—she has one called the *William Henry*—Long went on board that barge on Wednesday, the 11th of March—he did not say any thing to me—it was lying in the road opposite Mr. Nash's, at Pickle Herring-wharf—some clover and straw which belonged to Mr. Vandervorde was in the barge—Long came on board shortly after me, and took her up to the *Giraffe* steamer—about three o'clock in the afternoon we got to the *Giraffe*, and took in thirty-nine quarters and four bushels of tares—we had finished the lading about half-past six—I did not see any thing of Vandervorde at that time, but soon after I saw him come on board to Long—he said to Long, "If I come and help you, don't you think we could get her up there, for the horses have not a bit of straw to lie on"—Long said, "Yes, if you come and help me I think we can"—the straw was to be delivered at St. Mary Overy's dock—I was behind the barge in the boat—Long brought the barge to Pickle Herring-wharf—(this was on the Wednesday night)—I went to another part, leaving them both on board, and they took her up to St. Mary Overy's dock, and left her there to unload the straw—that is on the same side of the river as Pickle Herring—that was about half-past seven o'clock—I came away in the boat—I saw Long again next day on the barge, about eleven o'clock in the morning, and the straw was then out of her—I said, "Why don't you bring her off?"—he said, "Because she is aground"—(there was plenty of water then to have brought her to Mr. Nash's wharf)—he then said he was not going to the wharf, he had to go over the water to fetch some seed—he took her over at flood in the afternoon—about ten o'clock that night I was on Pickle Herring-stairs, and I saw Long in the barge—I said, "Why don't you bring her in?"—he said, "You can see there is such a tide on her head, I can't get her head in; I must let her lie alongside of the roads"—when I found he would not bring her in, I got a man in a boat to give me a cast-off to the barge—Long was then bringing her round to Vandervorde's barge—he then went on board of Vandervorde's barge, and took the chain with him, made her fast to one of the timber-heads of the stern of Vandervorde's vessel—Long then went on shore, and left me on board the barge all night—the next morning, about seven o'clock, Long came again on board, and he said to me, "Jump up, and let us haul the barge a-head, I ought to have been here before"—we hauled a-head, and laid alongside of Vandervorde's barge, and Long told me to hold on, which I did with my hands—there was a man in a smock-frock on board Vandervorde's barge—Long said to him, "Come and give us a heave up with this," which was a sack of tares—the man came and lifted it on to Long's back—he carried it off the *William Henry* barge, and put it on to Vandervorde's vessel, close to the fore hatchway—Long then came back to the *William Henry*—when Long hauled her round he went across the other vessels, and went on board Vandervorde's vessel again—I then saw Vandervorde and him quite close together, and they appeared to me to be talking—this was after he put the sack on board—I did not hear what passed between them—Long came on board the *William Henry*, and took her to Mr. Nash's wharf—he got there about a quarter to eight o'clock—he then went away

—he said he was going in the lug to get some trefoil seed—he said, " If William comes, and asks where the barge was last night, tell him she was here; I don't want to have any *bother* with him, and when I come back I will give you a penny; but if he don't say any thing to you, don't you tell him"—he went and left me in care of the barge, and went home to breakfast.

Cross-examined by Mr. Doane. *Q.* Did you get your penny? *A.* No, I did not care about it—I do care about a penny, but when I was in the barge I did not think of it—I have never got into any trouble—I was never in prison, or threatened to be sent there—I do not recollect Sunday the 29th of March—I was never charged with having rope of my master's—I know *Joe* Williams—his name is not Taffy—I know nothing about Taffy—Williams is no friend of mine—sometimes I am in the barge with him—I sometimes walk with him—I was not with him last Sunday—I am with him some Sundays on the barge—I do not remember any day when he was in a scrape, but I heard about it—I was never talked to about it by my mistress—I have been in her service about three months—before that I worked at Mr. Dennis's in the rope grounds for about three months—I left because his house was burned down—I went on Wednesday for these tares—I got them on board from the *Giraffe* steamer about six in the afternoon—I left after the tares were on board, when she got to St. Mary Overy's dock—I then went away in the boat and left Long on board with the tares—I came about eleven o'clock the next day—the tares were all safe then, as far as I know—I was on board the barge all the Thursday night, and Long went away—Long came on Friday morning and this took place—he told me he ought to have been there before, because he was rather behind—he got forty-one bags of trefoil seed in the lug boat—I did not fasten the boat with the hitcher—I held on with my hands—I could not have forgotten it if I had.

Cross-examined by Mr. Adolphus. *Q.* You were before the Justice? *A.* Yes—this is my mark on this paper—(*looking at his deposition*)—I am fifteen years old in about five months—I have never said I was going on for fourteen, not that I am aware of, I might have made a mistake saying I was fourteen—I may have said I was going on for fourteen years—I sometimes make mistakes in telling my age—if ever I said I held on to the barge with a hitcher that may have been a mistake, because I held on with my hands—I never said I held on with the hitcher—it was about ten o'clock on Thursday night, as far as I know, when I got to Vandervorde's barge—I could not see well across the river—it was not raining—it was a nice mild light night, but the moon was not shining—Vandervorde's barge was lying outside the tier—it was the very outside one—people on shore, who wanted to get to his barge, must have crossed the others—there are no covings to his barge at all—the deck and the barge sides are all even—there is no irregularity, no rise at all, only at the head and stern—she laid with her head up and her stern down—timber heads are what you make craft fast to—there are covings to the hatchway—they could make an unevenness on the deck—I saw Vandervorde on Friday morning—when he was speaking to Long he was dressed in a brown coat and black trowsers—he seemed to be up and dressed for the day—there was no smock-frock, or any thing of that kind—there was a man in a smock-frock that helped Long to lift up, but Vandervorde was not on deck then—the sack was deposited by the fore-hatchway—Vandervorde's cabin is aft—Vandervorde was not going for any seed that day that I know of.

MR. PAYNE. *Q.* When you were in the barge was any thing raised above the deck, or was the deck even? *A.* Yes, there were no sides—it was a flat deck—a person could go along the deck to the fore-hatchway.

WILLIAM HENRY HILDITCH. I am a corn-meter—I was delivering tares on board the *Giraffe* steamer. On Wednesday, the 11th of March, Long came alongside with a lighter—I emptied thirty-nine quarters and four bushels of tares into it—I gave him a certificate, which the officer has—this is it—(*looking at it*)—I am correct in saying it was thirty-nine quarters and four bushels.

Cross-examined by MR. DOANE. *Q.* Did you mete it yourself? *A.* Yes—the fellowship porters put them into the lighter—I was down in the hold—I cannot swear that that quantity was delivered, but I measured them—I saw them emptied, but I did not see them leave the vessel—they were taken to the deck of the *Giraffe*—there were no more tares on board, nor any thing in the shape of grain—I have had great experience—I never had one mistake—it very often happens that a lighterman will try to defraud a meter—mistakes have occurred among lightermen *in the* tallying.

JURY. *Q.* Did you see that number of quarters taken out? *A.* Yes I swear that quantity went from the hold of the deck of the vessel in sacks.

JOHN SCOTT. I am foreman to Mr. Nash—I was at the wharf on the Friday morning—I assisted in unloading and receiving the tares in the warehouse—there were thirty-nine quarters and no more—I called it over to my master.

Cross-examined by MR. BALLANTINE. *Q.* Who brought them to you? *A.* The porters we had on the wharf—they are not here.

JURY. *Q.* Could any one have taken a sack away? *A.* Not after it was in our possession on the wharf.

FRANCIS NASH. I have a partner of the name of Hicks—we are wharfingers at Pickle Herring lower wharf—Mrs. Betts does our lightering work—Long was employed by her occasionally. On Wednesday, the 11th of March, I ordered some tares to be lightered by her—on the Friday morning I saw them landed at my wharf between ten and eleven o'clock—when the last sack was landed I spoke to Mr. Scott and examined the tares, and found one sack deficient—I said to Mr. Betts, in Long's presence, "There is a sack of tares short, how is this, William?"—he turned to Long, and said, "How is this, *Bill?*"—I saw he wanted to say something to him in an under tone, and I turned away—I did not hear what passed—I looked round almost immediately, and observed Long shoving off in a lug boat towards the road where Vandervorde's barge was lying—I got into a skiff and desired William Betts to row me under the stern of the road, and observed Long in the act of having a sack of something hove on his back—I saw him carry it from abaft the rigging of the barge, and throw it off his back—by this time I was on board Vandervorde's barge—I went to the fore part and asked Long what he had done with that sack of tares—he said, "I have it here, it is all right;" and I saw the sack, which I supposed was the tares, lying in the lug boat, which he had shoved off—he had hove the sack over the head of Vandervorde's barge into the lug boat, and he shoved the lug boat from the road to the *William Henry*, and with the assistance of a man on board, he got it to the head-sheets of the *William Henry*—I then went to the cabin hatchway of Van-

dervorde's barge—I called to Vandervorde—he came up—I said "How is this, Vandervorde, that you had a sack of our tares on board your barge?"—he said, "I know nothing at all about it, I have not seen the sack"—I said I should see about it—I believe the sack was mine—I saw it in the lug boat, and it was the only sack in the boat that was full, and I saw it was one of mine—I went on shore and spoke to my partner—when I got on the wharf Long said to me, "I thought I had got a sack of tares over, and I did not want to get the meter into any scrape or trouble"—I said it was a parcel of nonsense (in the course of business Long would have the meter's ticket describing the quantity)—I went in a skiff to the Thames police-office—as I was passing under the stern of Vandervorde's vessel, I saw him on board—he called to me, and said, "Mr. Nash, I hope you don't think I know any thing about the sack of tares—I said, "I don't know any thing about it, I am going to the Thames Police, and I shall leave them to sift the matter" —he said, "I hope you won't go any further in the matter, you can't think that I know any thing about them"—I went on, and met Mr. Evans, the police-inspector, in his boat—we went back to the wharf, and found that Long had left—he had instruction to go and work something else—Mr. Evans then went on board Vandervorde's, then came and told me something, I afterwards went to the corn-market, and saw Vandervorde there—I said, "Mr. Evans, the inspector, has been looking for you, and he will be here at two o'clock—Vandervorde said, "Very well, I will see him," or "I will be here at the time"—I sent my own sacks for the tares, and the sack produced is one of mine—the tares that were in it on board Vandervorde's vessel are the same kind as those I had—I have a sample from them and from the bulk—I cannot identify them, but I believe them to be the same.

Cross-examined by Mr. Doane. *Q.* After you had been in communication with the Thames Police, Long was gone about business of yours? *A.* Yes—he did not run away—I am not aware that he had any bags of trefoil that morning—he has worked for us, and has occasionally had property to a large amount—for thirty-nine quarters of tares there would be seventy-eight sacks, and for thirty-nine quarters four bushels there would be seventy-nine sacks—Long was employed for us to work some other tares at that very time—we had not bought these tares—we are wharfingers, and take them for parties—some person had given us the order to lighter and land them—the ticket he would receive would be a check on the quantity he would produce.

Cross-examined by Mr. Adolphus. *Q.* What did you see on the day of this transaction? *A.* I saw Long push off from my wharf in the lug-boat with bundles of empty sacks that he was going to work the other tares with—I had come up to Vandervorde's barge in time to see him take up the sack which contained my property, and put it into the boat—I was astern—I went on shore, and desired the man not to touch the sack—the police officers brought it away from the head-sheets of the barge—I did not see it put on board of Vandervorde's barge—I saw it brought from it, and put on the head-sheets of the barge lying alongside my wharf, by Long——I was on board nearly at the time the man turned it off his back, and at that time I spoke to Vandervorde, who was in the cabin—this was between ten and eleven o'clock—I think Vandervorde had his coat on—I am not certain, I did not take particular notice—I understood he was shaving,

but he had no lather on his face—I called him by name, and he came up from the cabin, and told me he had never seen the sack, and knew nothing about it.

WILLIAM HENRY BETTS. I and my mother keep these barges. I was at Nash's-wharf on the Friday morning when these tares were delivering —there were about ten quarters in the barge when I came down at the end of the delivery—Nash said to me, in the presence of Long, "William, there is a sack short, there ought to be thirty-nine quarters and a half"—I asked Long how it was—he said, "I have got the sack, it is all right, I will go and fetch it"—he jumped into a lug-boat, went ahead of the road, and Mr. Nash told me to row him off in a skiff, which I did—we rowed round the stern of Vandervorde's vessel, and Long went ahead—I observed him go and take the sack of tares from abaft the mast, and Mr. Nash walked forward into the sailing barge—I saw him go up to Vandervorde—the sack was put into the lug-boat—I heard Vandervorde say, as I was going to the police-office, he hoped Mr. Nash would not go any further with it.

Cross-examined by MR. DOANE. *Q.* Long has been in your service a great many years? *A.* Yes, and conducted himself well.

JOHN ROBERT THORP. I am a corn-meter, and live in Redcross-square, Tower-street—I was on board Vandervorde's vessel on Friday morning, the 13th of March, I had to meter some corn there—I got there about seven o'clock in the morning—I saw Long come on board about half-past seven—Vandervorde and I were speaking together relative to the corn that I was about to deliver—Long came and said, "I have got the sack of tares," or "brought the sack," or "a sack of tares"—I saw nothing particular in his manner—Vandervorde replied, but I did not hear what—Long did not remain on board more than a few seconds—about nine o'clock in the morning I saw Vandervorde on boarde Long's barge, which was lying alongside Vandervorde's vessel—he was in the act of up-ending a sack of tares which was on Long's barge—Vandervorde said to me, "Brother Fellowship, lend me a hand," meaning me to assist him in getting the sack on board his own barge from Long's—I was on board Vandervorde's barge from the time of Long's coming, and saying he had brought a sack—I did not see any sack removed from Vandervorde's barge to Long's—I was measuring corn below, and a sack of tares could have been removed without my seeing it—a man assisted Vandervorde with a kind of pulley, and I assisted in getting it on board Vandervorde's barge—I hooked it on—there was a small rent in the bottom of the sack—I can swear to the sack—soon after the sack was hoisted on board Vandervorde's vessel, I heard him call for a sack, and one of his men replied to it—the man asked him what sack—he said, "Any one of ours"—then one of his own was brought to him—he held it up, and I said it was as bad as the one they were going to shoot it out of—they were shot out of one sack into the other—Vandervorde was standing by the side, assisting in holding up the sack—the sack they were in before had the name of Nash on it—about an hour after Long came on board, and inquired for the sack of tares—he said, "Where is that sack of tares? it is wrong; for God's sake let me have them, or there will be such a piece-of-work about it"—I do not know to whom he said it—Vandervorde was there—I did not hear him ask for any thing—that sack could not be found at first, it was afterwards found and brought—I did not see the re-shooting of them—I went down soon after—I heard Mr. Nash on board.

Cross-examined by MR. DOANE. *Q.* At what time did Long come for this sack of tares again? *A.* I should think it was from half-past nine to ten o'clock—I saw Nash come on board—Long had been there a few moments before him, and had been gone from my sight some minutes—it was possible to go on one side of the vessel, and I not see him—Long had left with the tares—I do not know what boat brought him to the side—I spoke to Mr. Nash—I said, "I can assure you they have not been down in the hold"—I was told to hold my tongue, and I said no more—I knew that Mr. Nash complained of being robbed of his tares—he would not allow me to tell him what I have said to-day—he went away—the men who were with me told me to hold my tongue—I did not tell Nash what I knew, because he went down to the Thames Police—he said he would go there—I did not go there, my business detained me on board till four o'clock, and I could not leave.

Cross-examined by MR. BALLANTINE. *Q.* You were not examined at the police-office? *A.* No—I first made this statement to Evans the officer, on the Monday—the examination was on Friday—I have known Vandervorde twenty years—I do not know how many hands he had on board his barge, I should think not more than three—one name is George—when Long came the second time one man was with me, and the others on board the barge.

MR. PAYNE. *Q.* You heard the other sack called for? *A.* Yes, and then went on working.

WILLIAM CALLOWAY. I am a Fellowship porter and fisherman, living in Pitt's-place, Bankside. On Friday morning, the 13th of March, I was on board Vandervorde's vessel with the meter—I saw a sack of tares hoisted on board the vessel from Long's barge—I lent a hand to get it on—after it had been hoisted on to his vessel I heard Vandervorde ask for his own sack to shoot them in, because the one they were in was a very old one—he said, "Throw up one of our sacks"—the tares were shot into his sack, and the empty sack I threw into Mr. Long's barge—while they were being shot he said, "These tares are very dear, they come to a great deal of money, and there are as many small peas among them as tares"—I said that sack was almost as bad as the other, I could see daylight through it—I went down below.

Cross-examined by MR. BALLANTINE. *Q.* Is this the first time you have made your appearance? *A.* Yes—Vandervorde's business is carrying things for any body.

MR. PAYNE. *Q.* Do you know the difference between peas or white tares? *A.* I cannot say I do—they were two different colours.

JAMES CHRISTOPHER EVANS. I am inspector of the Thames Police. On Friday morning, the 13th of March, I was spoken to by Nash—I went to Horsleydown, and found Long there—I said, "Mr. Nash charges you with stealing a sack of tares out of his barge, and putting it on board Vandervorde's vessel"—he said, "What a fuss they are making about nothing; I will tell you how it was; I went off to Vandervorde's barge with him; I took in thirty-nine and a half quarters out of the *Giraffe* steamer; I thought Mr. Hilditch had given me one over, and I put it on board Mr. Vandervorde's barge"—I said, "Does Vandervorde allow you to take things to his vessel?"—he said "No, Vandervorde knew nothing about it"—I said, "This boy says one of his men assisted you"—he said, "There was a man, but I don't know whether he was one of Vandervorde's men"—I then

went and found the sack in the head-sheets of the barge—I took possession of it—this is it—(*producing it*)—I then went, and saw Vandervorde at the corn-market—I said to him, "Mr. Nash says he has had a sack of tares stolen out of his barge, and they were found on board your barge"—he said, "I know nothing about them, I did not know they were there"—I said, "Have you seen Long this morning?"—he said "No"—I said, "Then you have had no conversation with him"—he said, "No, none whatever"—I said, "Did you see the sack of tares on board your vessel?"—he said, "I did not, if I had I should have thought Mr. Nash sent them by me, to Southend, to my brother."

Cross-examined by MR. DOANE. *Q.* When did you go after Long? *A.* I think about twelve o'clock—I found him in a lug-boat at Horseley-down.

(The prisoner Long received a good character.)

LONG—GUILTY. Aged 34.—*Recommended to mercy by the Jury and Prosecutor.*—Confined Three Months.

VANDERVORDE—NOT GUILTY.

1311. JOHN FITZGERALD was indicted for stealing, on the 4th of April, 1 hearth-rug, value 10*s.*; the goods of William John Dowding and another, his masters.

WILLIAM JOHN DOWDING. I am a hearth-rug manufacturer, and live in Peter-street, Southwark—I have one partner—the prisoner was in our service. On Sunday, the 4th of April, about seven o'clock in the evening, I was going into my own house, and observed a hearth-rug on the grating before the window, where it had no business to be—I pulled the bell to go in, and saw the hearth-rug slide off the grating, and go down underneath into my premises again—I went in, and met the prisoner at the top of the cellar-steps—I went to where I had seen the hearth-rug fall to—I saw nothing there—I came up again—I went down with a light, and found the hearth-rug under the cellar-steps, where it had no business to be.

WILLIAM TAYLOR (*police-sergeant M* 14.) I know Mr. Jeremys the magistrate's hand-writing—this is his signature to this examination—(*looking at it*)—*read*—"The prisoner says I admit taking the rug from the warehouse into the cellar, and putting it on the grating to take away—it is my first offence."

GUILTY.—Confined Three Months.

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